PROTESTANTISM IN GERMANY

KERR D. MACMILLAN

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BY

KERR D. MACMILLAN

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PREFACE

The spectacle of the Protestant nations of the earth engaged in a fratricidal struggle, the issues of which are essentially moral if not religious, is a direct challenge to the student of church history. For, as religion is the most influential factor in the formation of the character of any people, it is important to ascertain how it is possible for nations with the same religious birthright and presumably with the same religious training to differ so widely in respect to moral ideals and conduct. The following pages are not intended primarily to answer this question but to give some account of the progress of German Protestantism, with especial reference to Luther's ideals on the one hand and to the state control of the churches on the other, and yet no one can read the story without having suggested to him the explanation of many of the phenomena of present day German life and thought. Some of these suggestions I have mentioned in the last chapter, but very briefly, for it would require a much larger volume than this to handle them adequately. At all events, the present war cannot be laid at Luther's door, as M. Paquier attempts to do, for the Lutheran church as it developed after Luther's death had no more resemblance

to his ideals for it than to the church it superseded. The transference to the civil authority of all the powers, prerogatives and privileges formerly possessed by the Roman hierarchy, and the investment of the prince with all the authority in both church and state, gave the opportunity to a strong race of rulers to establish, on the basis of both divine and human law, a form of absolute monarchy such as western Christendom has never witnessed elsewhere, and which has for its presupposition the essentially Roman Catholic and mediaeval idea of the submission of the individual subject to the prince-bishop in both civil and religious things.

It must be obvious to those even fairly well informed in the history of Protestantism that there is a remarkable similarity between the mental attitude of the German people in the period of "orthodoxy" and their mental attitude of today. In the seventeenth century their outlook was religious and today it is political, but both then and now there is evident the same self-assurance, the same contempt of criticism, the same claim to something little less than infallibility, the same "radiant consciousness of righteousness," the same arrogance and intolerance, and the same inability to exercise self-criticism or to apprize themselves any less highly than the most flattering adulation suggests.

One of the problems presented to the historian by the war is how to account for this childish char-

acteristic, for such it surely is, dominating a whole people. And one element of the answer will surely be, that however well the Germans have been trained to perform the functions of scholars, soldiers, peasants or what not, they have never had the training requisite to their becoming fair minded, well balanced, mature men. "The institutions of a country educate the people," and the paternalism which has characterized the German states and the German churches during the last four centuries has had the effect of keeping the people, as far as political knowledge and the development of personal character are concerned, in a condition of perpetual tutelage. To one who has lived among the German people and been fond of them, and has learned to appreciate their industry, simplicity and straightforward goodheartedness under law, there is something splendid as well as inexpressibly sad in their present mental attitude. The consciousness of virtue shone through their characterization of the Franco-Prussian war as "Our War of Liberty" or "Our Holy War," and the sincere belief that God would use them to punish hypocritical and cruel England for her iniquities used to seem only a healthy moral reaction to the stories they had heard of France's degeneration and England's sin, and to be merely a transient and somewhat amusing phase of the national emotionalism which displays itself so delightfully in the amen-

ities of social life. But those who control the political destinies of Germany have not hesitated to utilize this in itself beautiful trait to unite the whole nation and lead it in a holy enthusiasm whither they will, just as equally false guides seven hundred years ago sold into slavery the children that followed them "for the love of God" in the Children's Crusade.

There is a very large German literature on the origin and development of the territorial system, but I am not aware of any English work covering the same ground. The requirements of the lecture platform have compelled me to restrict myself to the more outstanding features of the subject and to a limited number of references, and to pass over many details of fact and opinion that might have been profitably introduced in a formal history. I have also thought it best to allow German scholars to speak in their own words very frequently lest I might seem to have been guilty of misrepresentation.

Finally, I wish to thank the Faculty of Princeton Theological Seminary for the many kindnesses I have experienced at their hands, and especially for the high honor they conferred upon me in inviting me in 1916-17 to deliver as lectures on the L. P. Stone Foundation the chapters of this volume.

KERR D. MACMILLAN.

Wells College,
October 1, 1917.

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PROTESTANTISM IN GERMANY

CHAPTER I

The Personal Influence of Luther

Whoever wishes to understand German Protestantism must constantly have in mind the person and the writings of Martin Luther. The casual visitor in Germany is amused at the almost infinite number of Luther houses, Luther springs and Luther trees, and if he is familiar with the language, at the solemnity with which the peasant refers to "Doktor Martin Luther," or quotes his words. But only a survey of the literature from the time of the Reformation to the present can convey an adequate conception of how deeply rooted and how influential in the life of the people this reverence has been and still is.

Calvin's system of doctrine and church government has been more widely received and more influential than the teaching of Luther, but the person of the Genevan Reformer has never fascinated the imagination and dominated the thought of his followers as has that of Luther in Germany. Indeed it is not going too far to say that there is no one in the western European countries or

America that has occupied such an exalted place in the hearts of his fellow countrymen. As long as he lived he was himself the standard of orthodoxy, the creed and the supreme court of the churches his revolt had called into existence. He was constantly consulted on matters of theology, morality, church government and politics, and rarely was his advice unheeded. Only among the lower classes after the Peasants' War was he disliked. After his death there was no one, there could be no one, to take his place.

How great his personal influence had been and what a void his death made are indicated in the Preface to the "Book of Concord" where forty-seven princes and thirty-four cities recall the unity that was characteristic of his lifetime, lament the dissensions and dissemination of false doctrine immediately after his death and declare it to be their purpose to adhere without deviation to the Scriptures, the doctrines set forth in the early ecumenical councils and the symbols which had received the stamp of Luther's approval. In this determination the subscribers simply forecast what was to be the attitude of the great majority of German Protestants from that day to this. Luther's successors in the chair of theology in Wittenberg, and Lutheran divines elsewhere, were concerned primarily to conserve what he had taught. The final authority of the Bible was always asserted indeed, and the Lutheran doc-

trine based upon its teaching; but until the end of what is called the "orthodox" period the controlling factor was the teaching of Luther, which was developed in infinite detail, though not always in line with Luther's real meaning.

Among the churches and people generally he was portrayed as prophet, apostle, knight, teacher and priest. No one had ever done so much, not only for theology and religion, but also for the cultivation of jurisprudence, philosophy and oratory, or for the peasant and military classes. The grammar in use for a hundred years declared that his German was so pure that he must have written by the special assistance of the Holy Spirit. The gift of healing was ascribed to him. Splinters of wood from his house were reported to cure toothache, and the second edition of a work narrating the miraculous preservation of his portraits in fire was printed as late as 1765. His translation of the Bible was said to be inspired and many were in favor of raising his private writings to symbolical rank.

He was placed in the circle of the prophets also. As John the Baptist had been the second Elias, Luther was the third, who prepared the way for the return of the Lord to judgment. Or he was the angel of the fourteenth chapter of Revelation flying in mid heaven and proclaiming the Gospel to all peoples, which could be proved to the incredulous by reconstructing the letters

of Rev. xiv, 6, according to their numerical value, with the result that they formed the words "Martin Luther, Doctor of the Holy Scriptures, born in Eisleben, baptized on St. Martin's day."

In short, the Lutherans of this period transferred to their founder as many of the characteristics of the saint, and came as near to worshipping him, as their creed would permit. One of the first critics of this attitude, the Pietist and church historian G. Arnold, was quite right in characterizing it as a subtle idolatry.[1]

The extreme form of this superstitious reverence had to yield before the advance in knowledge in the latter part of the seventeenth and the eighteenth centuries. The quarrels between Pietism and orthodoxy, between rationalism and the church at large, and the ensuing critical study of history partly dispelled the mists obscuring the real figure of the Reformer, but the underlying respect and reverence for him were not changed thereby. The old portrait was destroyed, or rather, instead of the single orthodox one there were as many as there were schools of thought. There might be some difficulty in knowing which was the true one, but at all events Luther himself remained to them.

The Pietists were among the first to criticize the extreme devotion of the people to Luther,

[1] G. Arnold, *Unparteiische Kirchen und Ketzer Historie*, ii, 659 ff.

for it interfered, they felt, with the supreme authority of the Scriptures and the direct access of the soul to God. Moreover, they found much in Luther himself of which they could not approve, particularly his lightheartedness and jocosity on the one hand and his vehemence on the other. In general they denied the correctness of the picture that represented him as the hero of orthodoxy, and claimed him as their own. They pointed out that the Pietistic teaching concerning the necessity of personal religious experience and the struggle against sin corresponded with his religious life, and they justified out of his writings their holding of conventicles and their distrust of philosophy. But in the discussion that ensued they were forced to draw a distinction between the earlier and later teachings of the Reformer and to attach themselves to the former.

It might be expected that the intensely humanistic period of the Enlightenment would have little sympathy with the Reformer who had spoken of the human reason as the product of the devil which the would-be Christian must tear out as the Scripture bids us tear out an offending eye. And some few were indeed found to belittle his services and give all the credit for the Reformation to the secular princes. But the stream of national devotion to the great hero was too strong to be either diverted or dammed. The general feeling and belief of the "Enlightened"

was that Luther was one of themselves. They recognized him as the conqueror of the Church of Rome which they too hated as he had, as a man of independent spirit who had emphasized the practical side of religion and the duties of the citizen—just as they did.

The essential parts of his work and teaching were forgotten or neglected, and in place of Luther the prophet and the theologian appeared in almost endless variety Luther the father, the teacher, the citizen, the eager searcher after truth, the champion of freedom of conscience, the Biblical critic, the rationalist, and of course, in contrast to the Pietists, Luther the jocular and jovial, who enjoyed all that life could offer.[2] If he had lived in the time of the Enlightenment he would undoubtedly have been one of its leaders. He was unfortunately limited by his environment. "Only a little longer," says one writer, "and the heavenly light, that Luther could see only as in a vision, will shine upon us with all its brilliance."

Another, speaking more particularly, thinks he has reached the heart of Luther's work when he reduces it to brotherly love. "It was genuine brotherly love," he says, "that moved Luther to

[2] One of the verses popularly ascribed to him was,

"Who loves not woman, wine and song
Remains a fool his whole life long."

There is no proof that Luther said this.

take his courageous stand against the abominations and errors of the Roman Church and allowed him to shirk no danger in furthering the good work. Filled with the sense of human worth he saw with sympathetic disapproval the oppression of the people by the papacy, and the noble determination that formed itself in his soul at the same time, to bring back the misguided people to the original dignity of rational beings, was one of the mightiest motives of the Reformation. It appeared to him impossible to succeed in this unless he could establish a firm and solid intellectual basis for religious truths, a basis that should be comprehensible to everyone and subject to the least possible misunderstanding. This he found in the Holy Scriptures." The modern German author from whom the quotation is taken adds simply "Could the real state of affairs be worse represented," a judgment with which we may well agree.[3]

The Romanticism of the early nineteenth century had little sympathy for the struggles of the Reformation and yet the first dramatic portrayal of Luther's life, that of Werner, comes from this period and circle. But in the troublous times that succeeded the French wars, when Germany was still smarting from her defeats, waking to

[3] H. Stephan, *Luther in den Wandlungen seiner Kirche*, Giessen, 1907. 63 f. I am dependent upon Stephan for other quotations in this chapter also.

a consciousness of the shallowness of the fundamental principles of the Enlightenment and feeling about for solid ground upon which to rear a new political, moral and religious Germany, all turned again as if by instinct to the great hero of the Reformation. Such words as those of the philosopher Fichte ran from mouth to mouth, kindling the fire of religious patriotism:

"In fine classical culture, in scholarship and other accomplishments, he was surpassed not only by foreigners but also by many of his own nation. But an all powerful motive impelled him, the desire for eternal salvation. This was the life in his life. It threw everything into the balance, and gave him the power and the ability which have astounded succeeding generations. Others may have had earthly motives in the Reformation, but they would never have been victorious had there not been at their head a leader who was inspired by the Eternal. That he who constantly had before his eyes the picture of immortal souls in danger of destruction fearlessly advanced to meet all the devils in hell is simply natural and not to be wondered at. That is an example of German high mindedness and courage."[4]

The historical spirit of the nineteenth century could not accept the uncritical, partly erroneous and partly naïve picture of the Reformer that

[4] Stephan, 91 f.

had satisfied earlier generations. It made diligent search for the truth, trimming away the legends that had accumulated about his name, exploring every possible hiding place for a fragment from his pen or anything that would throw light upon his life, character or work. A definitive edition of his works began to appear in 1883 and is not yet completed. All schools of thought, even the Roman Catholic, have contributed toward the attempt at a better understanding of the man. His relation to literature, philosophy, education, even to socialism, as well as his services in religion and theology have been examined afresh. And the result is that he appears to hold as high or, if possible, a higher position in the German consciousness than ever before. Not that he is so unreservedly admired as was once the case, but the general impression seems to be that in spite of his mistakes, or shortcomings, or the limitations imposed by his historical environment, there is something almost superhuman about him. As one writer says, "The genius of Luther is so much richer and many sided than that of the average man that each age or individual is capable of understanding and appropriating only a part."[5]

Stuart Chamberlain, the English born cham-

[5] Stephan, 131; with which may be compared the estimate in H. Boehmer, *Luther im Lichte der neueren Forschung*, 2nd edition, Leipzig, 1909.

pion of Pan-Germanism, declares him to be the genuine German, true to the primitive type ("Urgerman") and contrasts him with Ignatius Loyola, the incarnation of anti-Germanic characteristics.[6] Even Nietzsche is compelled to give him considerable space. His opposition to Christianity and everything that savors of it shows itself in his hatred for the positive side of Luther's work, but he praises him for having taken the first step in loosing Germany from the fatal bonds of the Christian religion. Luther was a peasant, he says, and remained a peasant his life long, but he was successful in leading a spiritual peasants' revolt against the exotic southern Roman gentlemen's club called the Church. Like a peasant he hit out right and left without knowing or caring much what he destroyed. He must be credited, therefore, with some good, but also with having prepared the way for the miserable pusillanimity of modern democracy.[7]

Indeed it is safe to say that no writer on religious, historical or political subjects dares to omit Luther from his program or fails to relate his ideas to the work of the Reformer, with the usual result that the two are found to be in agreement except in so far as Luther is said to have been handicapped by the political, psychological or religious views of his age. The orthodox evan-

[6] *Grundlagen des 19ten Jahrhunderts*, 1899, 502.
[7] *Fröhliche Wissenschaft.*

gelical party of the Lutheran church is satisfied with him with little or no change. The liberals on the other hand emphasize his freedom of thought and claim to be his real successors. The mystics assert that his real work was done in the early years of his activity, while he was still under the influence of the mystical theology. Herrmann bases his "Communion of the Christian with God" on Luther. Ritschl was sure his conception of Christianity was essentially one with the Reformer's, and even such an emancipated Protestant as Troeltsch, who believes that Luther turned back the hands on the clock of progress, and that the real Reformation did not begin until the eighteenth century, nevertheless concludes his volume on "Protestantism and Progress" with a fine eulogy of Luther's "new way," meaning thereby salvation, or rather, the *assurance* of salvation by faith alone, and identifies it, mutatis mutandis, with his own position.

The advantage of inculcating religious and moral truth or arousing patriotic feeling by the concrete example of outstanding personalities is of course universally recognized. But the unrestricted and general admiration of any fallible being, however great, must always be attended by the dangerous tendency to confuse the best in him with the worst, to justify all that he did because he did one thing well, to shut out from the range of vision of his admirers those things

which he did not see, and from their life the things he did not do, or to ascribe to him those characteristics of their own for which they seek justification. In short, while hero worship is an excellent tonic for a person or a nation, it is likely, if taken in large doses, to interfere with one's own best development by imposing an external, unchangeable standard that blocks the way of progress.

Something of this sort has gone on in Germany. A flagrant example of it is to be seen in the German Bible. This translation, the work of Luther mainly, was constantly revised during his lifetime, no one being more cognizant of its shortcomings than he. After his death there was no attempt at carrying on the work of improvement. The name "Luther's Bible" crowned it with a halo of sanctity which protected it from profanation by emendators. Even in the middle of the nineteenth century when the progress in textual criticism and the better knowledge of the Biblical languages compelled the united churches to action, so great was the opposition that only such changes as were "necessary and unobjectionable" were made, with the result that many of the results of recent scholarship which have been incorporated in the English and the Swiss revisions are lacking in the German.

But the deleterious effects of this hero worship are to be observed in a still larger field and in

greater measure in the constitution of the Lutheran churches with which we shall be concerned in these pages. For their subjection to the secular authority deprived them of both the oversight of spiritual and ecclesiastical affairs which rightly belonged to them, and the religious and moral discipline which has been so beneficial in non-Lutheran Protestant churches, and at the same time contributed to the establishment of that absolute monarchy which has resisted the establishment of democratic institutions more strenuously than any other government in western Europe.

The principles of Luther's revolt demanded freedom of conscience and spiritual liberty. None of the Reformers was able to rise above the universal opinions of their time regarding the union of church and state. But they all did see, Luther quite as clearly as any, that the faith upon which the new church was founded could not, in the nature of the case, be forced, and that the church, that is to say, a congregation of believing Christians, having for its end the cultivation of the spiritual life and the administration of the sacraments, should be free from every kind of external control.

When Luther tore down the structure of the hierarchy and put in its place the priesthood of all believers the logical consequence was, and the actual result should have been, that those proper functions of the church which had previously been

performed by the hierarchy passed into the hands of Christian believers. The so-called Anabaptists perceived this and organized along most democratic lines, or at least pretended to do so. The peasants who rose in semi-economic religious revolt at this time perceived it, for their first demand was that they should have pastors of their own choice. Calvin perceived it and enforced it, with the result that Calvinistic churches have been notorious for their resistance to external control. But the Lutheran churches in Germany have never been free, nor made any serious attempt to become free from the supervision, direction and control of the state.

This is a matter over which there has been much argument in Germany, some scholars contending that Luther and his companions favored an independent church with graduated courts similar to the system common among Calvinistic churches,[8] others that they wished to retain the Episcopal system,[9] others again that the union of church and state with the subordination of the former to the latter was their ideal.[10] Incidentally

[8] E. g. Richter, *Geschichte der evangelischen Kirchenverfassung,* 1851. Sohm, *Kirchenrecht.*

[9] E. g. Stahl, *Kirchenverfassung nach Lehre und Recht der Protestanten,* 1862.

[10] E. g. K. Rieker, *Die rechtliche Stellung der evangelischen Kirche Deutschlands,* Leipzig, 1893; E. Foerster, *Die Entstehung der preuszischen Landeskirche unter der Regierung König Friedrich Wilhelms des Dritten,* Tübingen, 1905.

it may be remarked that each of these writers finds his own views corroborated by those of the great Reformer.

One of the latest and most painstaking students of the constitutional history of the German churches recognizes and condemns this prevailing tendency in the following words: "Considering the excessive authority enjoyed by Luther in the churches that bear his name it is comprehensible that the parties and elements striving for the highest expression of church life endeavor to accommodate themselves to his views, and to realize his ideals, although without doubt Luther was very far from regarding his thoughts on constitutional matters as normative for all time."[11] That there should be so great diversity of opinion in the settlement of this historical problem is not to be explained by Luther's discursive and unsystematic manner of writing, however difficult this may make any attempt to formulate his views. The real reason for it is that some of these writers, like their predecessors in earlier centuries, have seen Luther through glasses colored by their own desires, and read into his sayings their own ideals of church organization and of the relation of church and state. Professor Seeberg has said somewhere that Calvin left no questionable coins as did Melanchthon, and no

[11] E. Sehling, *Geschichte der protestantischen Kirchenverfassung*, 2nd edition, Leipzig, 1914, 5.

unminted gold as did Luther. The writings of Luther are indeed a wonderful treasure house from which much may yet be drawn, but it is hoped that future German scholars will not fall into the same errors as did earlier ones, namely, to fail to recognize the gold when they find it, or, worse still, to bring out the baser metals and declare them to be pure gold. Herder's warning against the use of Luther's works by the rationalism of the eighteenth century is just as necessary today as a hundred years ago:[12] "O Luther, would that thou wert alive to save thy books from the reproaches they now endure, and to see the plans and samples of our new unbiblical religion. 'Tis no sprout from thy root that now blooms."

[12] Quoted in Herzog, *Realencyclopaedie für protestantische Kirche und Theologie,* 3rd edition, vii, 699. References to this encyclopaedia are hereafter given under the abbreviation RE.

CHAPTER II

The Early Views of Luther Regarding Church Government

After the prevalence of other views looking toward the introduction of self-government into the Protestant churches of Germany, it has recently been argued by those who favor the present establishment that Luther's doctrine of the universal priesthood of believers was a purely religious conception, aimed solely at the arrogant claims and actual power of the Roman hierarchy, and therefore without relation to such matters as the constitution of the church, the organization of the congregational life or the relation of church to state, and that its application to such matters is of purely modern origin, and wrong. To quote Rieker:[1]

"The Protestant principle of the universal priesthood is a religious and not a constitutional principle. It has reference to the relation of a

[1] P. 79. Perhaps the clearest proof of the great influence exercised by Rieker's work is that the articles in the third edition of the Herzog *Realencyclopaedie* on the organization and legal position of the church almost all adopt his conclusions. The article on *Staat und Kirche* is a notable exception.

Christian to God and not to his position in the legal organism of the church. The application of the universal priesthood to the constitution of the evangelical church is a thoroughly modern idea. Just as the attempt is made to base the state on an abstract universal citizenship, so also it is attempted to base the church on the principle of equality, upon an abstract universal priesthood, and to regard this as genuinely Protestant. The principles of the Reformation, however, and especially the view of Luther, afford another basis for the constitution of the church, namely the doctrine of the two or three estates or regiments. Luther did not at all regard the individual Christians as having equal rights in the conduct of church affairs, but as differing according to the estate in which God has placed them. He who exercises civil authority has other duties in the matter of church government than one that teaches, and in the same way the members of the third estate, the heads of households, are concerned in ecclesiastical affairs in still another fashion than the civil rulers and the teachers.

"According to the Protestant view therefore, in matters pertaining to the constitution and government of the church, individual members of the church, i.e., the baptized Christians, are not considered as such, but their part is conditioned by and graduated according to the position they occupy and the work they do. For consider whither

this principle of the universal priesthood would lead if consistently applied! It would result in the dissolution, not the establishment of congregations, in the complete isolating of the individual Christians, in the grossest form of independency. The universal priesthood so far from furnishing a basis upon which a church may be erected according to Protestant principles is in reality the negation of all organization."

It is hard to know whether to admire the audacity or deplore the narrow vision exhibited in this passage; but whether we admire or not, there is no denying that in it we have the interpretation of the principles of the Reformation and the program for the evangelical churches in Germany by which a number of German scholars endeavor to perpetuate the subjection of the church to the state which has been characteristic of German Protestantism from the beginning. In a sense every word of the passage is true, and nevertheless it is altogether misleading. It is true that the doctrine of the universal priesthood was with Luther a religious conception and aimed at the Roman hierarchy, but it is false to imagine that its operation should be or could be restricted to man's relation to God, or that Luther wished so to confine it. The subjection of the individual will and individual conscience to the Roman church was not only a religious principle in the narrower sense of the term, but also a normative

principle for all religious, political and social life and thought. The history of the Middle Ages can be written around it. The mechanism of the Roman church in all parts of the world existed because of it and was dependent upon its continuance. It is therefore extremely shortsighted, to say the least, to maintain that the idea that overthrew the colossal ecclesiastical and political system of the Middle Ages should have no part in building up its successor. The doctrine of the universal priesthood of believers, having both a negative and a positive side, was bound, if unimpeded in its application, both to destroy the existing order and to create a new religious, political, social and scientific world. Indeed much of the history of Protestantism is concerned with the struggle of this principle to assert itself, for it has not been everywhere equally successful nor has it as yet spent its strength.

It is true also that as a rule the individual Christian was not as such allowed any share in the management or government of the Protestant churches in Germany. But this is only a statement of fact, and does not take into account the early struggles for expression by the individual Christians and individual congregations, or Luther's early endeavors, or the ideals which he felt compelled to put behind him for a time, and which his church has never realized.

And it is true also that, taken by itself and

applied consistently by itself, the principle of the universal priesthood of believers would logically lead to independency and even to individualism. But this leaves out of account Christian love and Christian brotherhood, and the corresponding movement toward cooperation and mutual helpfulness that has always been characteristic of true Christians, whether in Roman or Protestantism times; and it passes over the great outstanding historical fact that when allowed free play the doctrine of the universal priesthood has led, except in rare instances, not to independency, but to the establishment of well organized and well governed churches covering a territory as large as linguistic, racial and political conditions would permit.

The statement that Luther regarded the priesthood of all believers as a doctrine affecting only the religious life in the narrower sense of the word is easily and sufficiently refuted by his own life, for it was the compelling power of this new conception that led him not only to break with the Roman Church and demand its reformation, but also to champion the cause of righteousness everywhere, in the family, society and politics. That he demanded the same interest and effort of all Christians is everywhere evident in his writings and nowhere more so than in his "Address to the Nobility" which has been perversely used by Rieker in defence of the subjection of

the church to the state. For the argument in this remarkable appeal to the German rulers is not that they, as rulers, have the right to govern the church, but that as divinely ordained rulers they are free from subjection to the Roman hierarchy, and that as Christians, and therefore priests, like all other Christians, they should be guided by Christian ideals and actuated by Christian motives in the conduct of government. It is an attempt to show one class how the doctrine of the universal priesthood affects their lives and by implication teaches that all who accept the new teaching are to be controlled by the same high considerations in all they do. That this is so and that Luther tried to arouse in his fellow countrymen a sense of their new freedom and personal responsibility will be made clear by a brief survey of his teaching and his endeavor to establish congregations on a democratic basis.

Luther's Reformation began with his discovery that salvation is the free gift of God to men through Jesus Christ, and that this gift is appropriated directly by faith and not through any human mediator. That is to say, that each individual stands immediately in the presence of God, is directly responsible to him and receives directly from him the blessings of salvation. This is the fact which expressed as doctrine becomes the universal priesthood of believers.

In this Luther found assurance of his own

salvation after failing to find it in the sacraments and ministrations of the Roman church; and in it he found too, as St. Paul had found before, a greater incentive to pure, holy and charitable living than was afforded by the legalism or semi-legalism of the Roman church. This is the heart and core of Protestantism and to it Luther always remained true. It is, in the first instance, a purely religious conception and theoretically may be dissociated from any and all ecclesiastical, social and political forms. Luther himself at first saw no necessity of parting with the Roman church, nor indeed after the break was he much concerned over forms and ceremonies. He disclaimed any desire to tie the new churches down to one form of government, said that uniformity was not essential,[2] and generally held the view that "ceremonies must not be our masters as though it were a sin to do otherwise. For we Christians will and must be masters of such ceremonies, so that they do not grow over our heads and become articles of faith, but must be subjected to us and serve us when, where and as long as we please." In other words, Luther was concerned from first to last that the attitude of the individual Christian toward God and his fellow

[2] *Luthers Werke,* Weimar Edition (hereafter cited as WA), xix, 72. 113. Similar passages have been collected by Sehling, *Die evangelischen Kirchenordnungen des sechszehnten Jahrhunderts,* i, p. v.

man be correct, believing if this condition prevailed all other reforms would follow.

It is important, however, to note that this is not the same as saying that the new Protestantism was indifferent to outward forms and ceremonies, or that it could exist under any and every form of organization. Indeed, this is the very opposite of Luther's meaning. What he desired and what he attempted to bring into existence was an organization and a set of forms that sprang from and gave expression to the new ideas. He soon discovered for himself that the new conception of his direct responsibility to God was incompatible with a passive attitude toward the evils of his time. His protest against trifling with sin and forgiveness in the sale of indulgences led to the larger perception that the freedom of the Christian was incompatible with submission to Rome, or any other human authority. By the year 1520 the issue was perfectly plain. He burned the papal bull of excommunication and the Canon Law, told his students that they could not hope for salvation unless they dissented with their whole heart from the papal system, and committed himself to the destruction of the old order.

His writings of the year 1520 show that he had already given the matter of reformation considerable thought and that he pictured to himself a condition of affairs in which the individual Chris-

tians should share in the responsibilty for the spiritual welfare, the organization and maintenance of the congregation. Indeed, he had already perceived the possible danger of individualism and was prepared with an answer.

The treatise on "Christian Freedom" gives us a clear revelation of Luther's conception of the Christian life in general, as the foundation upon which he built or attempted to build a new German church and German nation. It is the positive apologia of his Reformation, the description of what he found within himself and wished to find in every Christian. Its theme is the paradox that the Christian is the freest of all men and subject to none, and at the same time the servant of all men and subject to all. Spiritually the Christian is free from all bonds and prescriptions, for piety has nothing to do with outward forms, dress, churches, services, fasts, holy days or law of any kind. The word of God is all sufficient for the life of the soul for in it are found abundantly life, truth, light, peace, righteousness, salvation, joy, liberty, wisdom, courage, grace, glory and every good thing. All these may be appropriated by faith, but the law cannot give them as it is only a means to teach men the uselessness of their own efforts to attain righteousness. By faith Christians become sons of God and united with Christ. As the bridegroom shares all with his bride, so Christ gives His spiritual treasures

to those that believe on Him. As He is spiritually king and priest, so are they. They are lord of all things, for all things work together for their good, and instead of being dependent upon the offices of others they have immediate access to God and the priestly right to intercede for others. A great injustice has been done by the use of the terms "clergy" and "laity," for all Christians are equally priests, and none may claim the right to exercise authority over others in spiritual things. Those that have been called popes, bishops and lords are only ministers, servants and stewards for teaching the faith of Christ and the liberty of believers.

But although spiritually free from all law the Christian is bound by a double bondage, to God by faith and to his fellow man by love. The Christian's life is not altogether spiritual, nor does he live to himself alone. He must control his own fleshly appetites and live his earthly life among men. He must endeavor to bring his actions into conformity with his spiritual life. This endeavor is not piety but the result of it. Good works are the natural and inevitable product of faith as good fruits are the inevitable product of good trees.

"Who then can comprehend the riches and glory of the Christian life? It can do all things, has all things, and is in want of nothing; is lord over sin, death and hell, and at the same time

is the obedient and useful servant of all." "From faith flow forth love and joy in the Lord; and from love a cheerful, willing, free spirit, disposed to serve our neighbor voluntarily, without taking any account of gratitude or ingratitude, praise or blame, gain or loss. Its object is not to lay men under obligations; nor does it distinguish between friends and enemies, or look to gratitude or ingratitude; but most freely and willingly it spends itself and its goods, whether it loses them through ingratitude, or gains good will. For thus did its Father, distributing all things to all men abundantly and freely, making His sun to rise upon the just and the unjust. Thus too the child does and endures nothing except from the free joy with which it delights through Christ in God the giver of such great gifts."[3]

It was with this ideal of the Christian life which he hoped the preaching of the pure Gospel would soon make the common property of very many that Luther planned the reformation of the church. He was quite conscious of the great number of hypocrites and unworthy members, but appears to have been so saturated with the joy of his new discovery of the Gospel that he did not doubt that great numbers would be as much enraptured as himself, and lead such self-sacrificing lives as he here pictures. Even three years later he was so persuaded of this that he

[3] WA, vii, 66. Translation by Dr. Schaff.

advised civil rulers that Christians would not go to law even to defend their rights. For example, in cases involving restitution, if both parties are Christians there would be no need for the civil authority to intervene, for "neither will wish to deprive the other of his property or even to dispute the matter. If one is a Christian, namely the one that has been defrauded, the matter is equally easy of solution, for he will lay no complaint, even though he never receive his property again. And if it be a Christian that has done the wrong he will wish to make restitution."[4] The young convent bred monk was an eloquent preacher of the ideal righteousness of the kingdom of God, and of the love that should characterize its citizens, but he had neither the training nor the wisdom requisite for the regulation of a complex society in which selfish interests and passions are inextricably interwoven with high ideals and aspirations in all the activities of life.

In his "Address to the German Nobility" we have Luther's first attempt to apply the doctrine of the universal priesthood of believers to a specific problem of conduct. A reform of the church in head and members was generally recognized to be necessary, but after the failure of the councils of Pisa, Constance and Basle in the preceding century to make any breach in the entrenchments of the papacy, nothing had been done. The

[4] WA, xi, 278 f.

papacy seemed more securely established and more immune from successful assault than ever before. In the meantime, Germany was suffering religiously and morally from the neglect and the positive abuses connected with the papal system. This is the problem which Luther faces in the "Address." His solution is that all Christians, being equally members of the body of Christ, that is of the church, should do what they severally can for the other members; and especially that the emperor and ruling classes, being ordained of God for the punishment of evil and the promotion of good, should carry their Christianity into the government, and purify the church and society in accordance with the requirements of the Gospel.

There are three walls, he says, behind which the Roman church takes refuge. The first is the distinction between spiritual and secular with the subordination of the latter to the former in matters pertaining to private life and to government. This distinction has no satisfactory basis. All Christians are equally holy, equally consecrated, "belong truly to the spiritual estate and there is no difference between them save that of office." [5] "For whatever has crept out of the baptismal font may boast of having been consecrated priest, bishop and pope, though it is not seemly for every one to exercise such office." [6] The office of priest,

[5] WA, vi, 407.
[6] WA, vi, 408.

bishop and pope is to preach the word of God and dispense the sacraments; that of the secular authority is to punish the evil and protect the good; that of other members of the church, shoemakers, smiths, peasants and so forth, is to serve the other members of the community with their office and work, all members being equally consecrated priests and bishops. It follows, therefore, that the so-called spiritual authorities have no authority over the secular authorities, but on the contrary the secular ruler has to perform the same duty toward so-called spiritual persons as toward others. And "As the secular ruler is a member of the Christian body, and although having material duties, belongs to the spiritual estate, therefore his authority ['werck'] should extend unhindered over all members of the body, punishing and constraining where guilt requires or necessity demands, irrespective of pope, bishop and priests, let them threaten and anathematize as they will."[7]

The second wall, which is the papal claim to the exclusive right of interpretation of the Scriptures, goes down before a similar argument. Every Christian is equally entitled to interpret the Scripture and to judge of doctrine. "As we are all priests, all have one faith, one Gospel, the same sacraments, why should we not have the power of testing and judging what is right and

[7] WA, vi, 410.

wrong in the matter of faith?" "Therefore it behooves every individual Christian to take an interest in his faith, to understand it and fight for it, and to condemn all error." [8]

The third wall, namely the papal claim to the exclusive right of calling general councils, is demolished in the same way. As the Scriptures order the individual Christian to bring a sinning brother before the congregation (Matt. xviii, 15) much more should we endeavor to bring an erring officer before a council. "Every one should do what he best can as a true member of the whole body to bring about a really free council, and no one is so well able to do this as the secular rulers, especially as they are now fellow Christians, fellow priests, fellow clergy, equally powerful in all things, and should exercise their authority and office, which they have received from God, over everyone." [9]

The range of thought in the "Address to the German Nobility" is limited of course by the matter in hand. We should not look here for any program of reconstruction for the church. Reconstruction was far from Luther's mind. Priests, bishops and pope might all remain if only they would keep within the bounds set by the Gospel. All that he wished was reformation. Nor may we expect to find a reasoned definition

[8] WA, vi, 412.
[9] WA, vi, 413.

of the universal priesthood, and the methods of its application to every phase of life. What we have is a considered statement of what its effect should be upon one class of Christians, the secular rulers, and some general intimations of its effects upon all.

The rulers as rulers were ordained by God according to the Scriptures and had as their duty to punish the evil and protect the good. But when in addition to being rulers they were also Christians and therefore shared equally, neither more nor less, with all other Christians the responsibility for the welfare for the whole body, their conduct as rulers was to be dominated by their Christian duties, and their action in particular events to be guided by the needs of the church. In their case certainly, and in the case of all Christians by implication, Luther asserts that the universal priesthood of believers shall not be a purely religious concept having reference only to man's relation to God, but shall be carried into all the activities of life.

Just what share in the church life should be accorded to other members Luther does not tell us here, for the matter was not in his mind. As we have just said, he was not planning to erect a new church but to alter the old one, and to alter it, we may add, no more than was absolutely required. But from intimations here and in other of his writings of this period we can gather what

seems to have been in his mind in a more or less unformed state, namely, that normally and properly the members of a congregation were bound to judge of doctrine, had the right and the duty to call and dismiss their pastors, exercise discipline as enjoined in the Gospel (Matt. xviii), and generally to control and manage their own congregational affairs, and if circumstances rendered this impossible any organization or form of government might be accepted provided the Gospel was preached in its purity. It does not seem to have occurred to him that there was any inconsistency in calling upon the secular rulers to reform religion and manners and committing the same task to the individual congregations. He did not picture to himself a church in which the members would quarrel about their several rights, but one in which all would be moved by a common Christian love and sense of duty.

In the "Address to the Nobility" we find the statement "and so we learn definitely from the Apostle [Paul] that the procedure in Christendom should be that every town choose from the congregation a pious and learned citizen, to whom the pastoral office is committed, who is supported by the congregation, and at liberty to marry or remain single as he will, also that he shall have associated with him several priests or deacons, married or single as they will, to assist in the government of the masses and the congregation

by preaching and administering the sacrament."[10] In the "Exposition of Psalm CX" he expresses the same idea:

"So you see each individual Christian possesses and exercises such priestly offices. But apart from this there is also the communal office which cares for the furtherance and advancement of teaching. For this pastors and preachers are necessary. For it is impossible for everyone in a congregation to expect to exercise this office, just as it is not convenient to baptize and dispense the sacrament of the Supper in any and every house. For this reason a few must be chosen and ordained to preach well and to busy themselves with the Holy Scriptures so that they may properly exercise the office of teacher and defend the doctrines, as well as dispense the sacraments for the congregation."[11]

In the treatise on the "Babylonian Captivity" of the same year we read: "They [the priests] have no right of government over us except in so far as we allow it of our own free will. . . . And therefore as many as are Christians are also priests, and those whom we call priests are ministers chosen by us who do all things in our name and whose priesthood is nothing but a ministry."[12] "And therefore, everyone that calls him-

[10] WA, vi, 440.

[11] Quoted from Richter, *Geschichte der evangelischen Kirchenverfassung*, 14.

[12] WA, vi, 564.

self a Christian should be assured, and should consider the matter very seriously, that we are all equally priests, that is to say, that we have equal authority in the matter of the word of God and of the several sacraments. At the same time it is behooving that individuals do not exercise this authority except with the approval of the congregation or the call of superiors. For what belongs to all in common cannot be appropriated to himself by anyone until he has been called thereto."[13] Other passages of similar import may be found scattered through Luther's sermons and other writings of this period.

In the year 1523 he published two well considered treatises dealing with the limitations of the power of the secular authority on the one hand and the rights of congregations on the other. The first bears the title "Concerning Secular Authority, How Far Should It Be Obeyed." Christians, Luther tells us, that is to say, rightly believing Christians, for many that have been baptized do not deserve the name and are not to be included, do not require the supervision of the secular authority, but are governed by the law of Christ. If all were truly Christian there would be no need of civil government at all. Nevertheless the Christian is to submit to it as a work of love, and for the sake of the others among whom he lives and for whom the secular authority exists.

[13] WA, vi, 566.

But there is one department of life in which the civil ruler should not interfere, and where he should not be obeyed if he does, namely the spiritual. Secular authority does not extend to the hearts and souls of its subjects. "That belongs to God alone; therefore, in matters pertaining to the soul's salvation nothing should be taught or received except God's Word." [14]

Faith is the affair of the individual, "And therefore every one is responsible for his own faith, and must himself see to it that he believes aright." The secular authority should not interfere, for it has no power in such matters, but should allow every one "to believe this or that, as he can or will, and force no one. For faith is free and no one can be forced to it." [15] For the same reason rulers should not attempt to suppress heresy for it is also a spiritual thing and must be fought with spiritual weapons alone. If, however, the secular authority does attempt to interfere in the religious life, and, for instance, demands the surrender of the Bible, as some Catholic princes were doing, they are not to be obeyed, but to be told "It behooves not Lucifer to sit beside God. Sire, I owe you obedience with body and goods, command me according to the measure of your earthly power and I will obey. But if you command my faith and demand my books I will not

[14] WA, xi, 263.
[15] WA, xi, 264.

obey, for then you are a tyrant, and demand too much, and command what you have not the right or power to command." If after this the prince uses force, the Christian is to suffer in patience, thanking God that he has been found worthy of suffering for the Word. Moreover, "if thou dost not withstand him, or if thou dost give him liberty to take thy faith or thy books, then truly thou hast denied God." "Not a leaf, not a letter is to be surrendered."[16]

This definite reference to his translation of the Bible is particularly illuminating, for it tells us at once that Luther did not fall into the mistake of thinking that a man might exercise his faith in God without obtruding it upon the world about him. On the contrary, he recognized that the acceptance of the Gospel would necessarily bring in its train outward acts which might be in conflict with secular laws, and demanded with no uncertain voice that the rulers refrain from interference in such matters and that their Christian subjects refuse obedience if they interfere.

Rieker[17] endeavors to weaken the force of the statements in this treatise by saying that it was written by Luther in view of the suppression of his translation of the Bible by some Catholic princes, and that we are not justified, therefore, in applying its arguments to a condition of affairs

[16] WA, xi, 267.
[17] P. 60.

where the prince and the congregation were both of the reformed faith. It is true that the treatise was called forth by just this condition of affairs, but the advocacy of the rights and duties of congregations is so consistent with Luther's fundamental principle of the universal priesthood of all believers and so consonant with what he says on the same subject when there was no such particular occasion that it is impossible to follow Rieker in the conclusions he draws. Rieker bases the argument of his own scholarly work on Luther's "Address to the German Nobility," but he neglects to point out that this too was an occasional work called forth by the necessity of finding some one to undertake the task of reformation which the Roman hierarchy refused. All of Luther's writings could be discounted in the same way and for the same reason.

The fact that Luther, in the book "On Secular Authority," denies to civil rulers any part in the suppression of heresy shows that he had done what the tone of the whole work implies, namely, raised himself above the single problem afforded by the opposition to the use of his Bible, and, as far as possible, dealt with the larger problem of the limitations of the civil ruler in respect to religious matters objectively. Rieker's further disparaging remark to the effect that the treatise contains none of the great reformatory ideas simply shows that he does not appreciate it. Nor

is this surprising, for his whole book is a defence of the system in which the church is subordinated and subjected to the state. But it is important for several reasons to note that what Luther is arguing for is nothing less than religious liberty. We dare not say the separation of church and state, for Luther had no conception of the state as we know it. His statement that there would be no need of civil government if all were Christians is sufficient to prove this. But he did see that religion pertains to the individual and that no power has any right or should claim any right forcibly to interfere with it.

The other treatise of this year enlightens us still further concerning what Christians may rightly claim to be within their own jurisdiction. It bears the very descriptive title, "Proof and Reason from the Scriptures that a Christian Assembly or Congregation Has the Right and Power to Judge All Doctrines, to Call, Install and Dismiss Teachers." It was occasioned by a request from the little town of Leisnig that Luther aid them in their work of reform by "fortifying the pastoral office with a writing." It is therefore, as its editor in the Weimar Edition of Luther's works reminds us, "A tentative sketch for the constitution of a congregation not of the church. The inalienable rights of the congregation are opposed to the historic rights of the patron."[18]

[18] WA, xi, 401.

In it he defines a Christian congregation as an assembly in which the pure Gospel is preached. No bishop, abbot, priest, emperor or other authority is necessary to its existence or continuance. On the contrary, in the congregation itself is vested the right, and upon it lies the duty, of judging doctrine and of supplying proper preaching and the administration of the sacraments. The persons chosen for this office act in the name of and for the congregation, every member of which has an equal right and duty to care for the spiritual well being.

This Luther considers the normal or, perhaps we should say, the ideal condition. But he contemplates also congregations and individual Christians in other circumstances. For instance, if bishops were genuine, Christian bishops, sitting in the places of the Apostles and not that of the devil, they might induct pastors, but even then only after these had been chosen and called by the congregation. Again, where there is need, no call or appointment is necessary. The individual Christian amid heathen and unbelievers is inwardly called and anointed by God to teach the truth; and even among Christians he may, uncalled by men, step forward and teach where he sees that the preacher is in error, provided all is done decently and in order. "For in time of such need (when souls are in danger through being denied God's Word), each and every one

may not only procure a preacher either by petition or the authority of the civil authority, but is himself bound to run to the front and teach. For need is need and knows no law, just as when there is a fire in a town every one ought to run and do what he can without waiting for an invitation." [19]

In a letter to the Senate and people of Prague of the same year Luther again argues that every Christian has an equal right to preach and administer the sacraments and may do so in case of necessity, but for the sake of order and convenience in every community one or more should be "chosen or accepted to exercise this right in the name and place of all, who nevertheless have the same right." For this reason the serious minded Christians, those "whose hearts God has touched," even though they form only a minority, should come together voluntarily and elect their pastors and bishops, and these in turn may also come together and elect one or more of their number to be archbishops whose duty shall be "to serve and visit them as Peter visited the churches in the Acts of the Apostles. In this way Bohemia may return again to the evangelical archiepiscopate which is rich, not in rents and property, but in much service and visiting the churches." [20]

[19] WA, xi, 414.
[20] WA, xii, 193 f.

It is obvious from these references, which could easily be multiplied, that Luther was quite alive to the far reaching effect of the doctrine of the priesthood of all believers upon the organization of the church. Instead of an authority all but absolute exercised by one man, the pope, through the bishops and priests over all Christians in religious matters, there should be no authority whatever, or rather there can be no authority but Christ.[21] Priests and bishops are not to be regarded as superiors, but as servants and officials, for they are no higher or better than other Christians and therefore may not make laws or "lay commands upon others without their will and permission."[22] This is fundamental. Any rule or regiment in the church, to use Luther's own word, must be based upon the consent of those ruled. They had the right to choose their own pastor and preacher, and to dismiss him; or if he came to them through a patron they had the right to refuse to receive him. The church was to be organized from the bottom up.

What Luther said in words was soon translated into fact. Individual congregations began to organize along these lines. In Wittenberg itself the congregation and council united in calling Bugenhagen. In Hamburg the congregation acted without the council. In Orlamund, coun-

[21] WA, xi, 270.
[22] WA, xi, 271.

cil and congregation called Carlstadt without the previous consent of the patron. Examples might be multiplied. One of the most interesting of these experiments was that of the little town of Leisnig, for its constitution was approved by the Reformer and commended to others as a model.[23] Here men and women bound themselves together by a vow to lead Christian lives and to establish a system of church discipline which was to be enforced by the congregation and the civil magistrate. They announced their freedom to call, install and depose their own pastors, and ordered a common treasury to be under the control of ten men elected at an annual meeting, "two of whom were to be noblemen, two from the ruling council, three from the common citizens of the town, and three from the peasants on the land,"[24] a truly representative body.

In Magdeburg similar action was taken in the following year, 1524. The congregation did not wish to undertake the duties of self-government, and so asked the council for its aid, with the result that elders were appointed from the council and a committee from the congregation, upon whom, acting together, was laid the duty of judging doctrine, calling pastors and otherwise governing the congregation.[25] In the first church

[23] DeWette, *Luthers Briefe,* ii, 379.
[24] Sehling, *Kirchenordnungen,* i, 598.
[25] Sehling, *Kirchenordnungen,* ii, 448 f.

order of Prussia, 1525,[26] discipline was placed in the hands of the congregation, and in the Land Law[27] of the same year the congregation was given a considerable share in the calling of pastors. But by far the most pretentious and famous of all such attempts was that undertaken in the Duchy of Hesse.

After the Diet of Spires, 1526, at which the regulation of religion in the several German principalities had been left in the hands of the princes, and so all obstructions to the reorganization of the church removed, steps were taken to apply Protestant principles on a larger scale. Philip of Hesse, infamous on account of his bigamy, but nevertheless one of the truest friends of Protestantism and one of the wisest rulers of his day, was the first to make the attempt. A council was called, modelled, it was claimed, upon the New Testament practice. Not only the clergy but also representatives of the nobility and towns were summoned and full liberty of speech guaranteed. After debate it was decided to adopt the Protestant faith and a constitution for the new church was prepared reflecting the spirit of its doctrines. The cornerstone of the new structure was to be the congregation of true believers, that is to say, of those who, after the preaching of the true Gospel for a considerable period, should show

[26] Sehling, *Kirchenordnungen*, iv, 30 ff.
[27] Sehling, *Kirchenordnungen*, iv, 38.

by confession and manner of life that they were serious in their profession.

To this conventus fidelium, to which women also were admitted, was committed the management of the church in general. Acting as a body or through officials appointed by them, pastor, elders and deacons, they were to have charge of the teaching, church discipline, care of the poor, reception of persecuted fugitives from other lands, the material property of the church, etc. These congregations were then to be united in one national church by the establishment of a general synod which was to meet annually and be composed of the pastors, one delegate from each congregation and the nobility. To this body was committed the general administration of the church with the proviso that the Scriptures were to be the only law and norm. A committee of the synod should have power to act for it between its sessions, and three visitors were charged with the duty of examining pastors and inspecting the churches. Provision was also made for the erection of a Protestant university at Marburg and of junior schools in every town and village. And finally, recognizing that the constitution could not be put into operation until the congregations were instructed in the Word of God, it was decided to leave the appointment of pastors in the hands of the reigning prince and the visitors for one year, by which time the congregations would

be sufficiently trained in the Gospel to take over the duty themselves.

This plan, for it was only a plan, is obviously in accord with the principles advocated by Luther, and as his "German Mass" had been published a few months earlier a direct connection between them cannot be doubted. Other influences have been sought, and perhaps cannot be denied. Francis Lambert, one of the most influential members of the council, was a Frenchman, a Franciscan and acquainted with both the Zwinglian and Lutheran movements. Philip himself was also in touch with movements in the south and west.[28] But this simply shows that as the religious conceptions of Protestants were everywhere fundamentally the same, so also their application to the organization of congregations and churches was practically identical.

Unfortunately, however, the plan was not to be put into operation. For Philip of Hesse, before publishing the draft or giving it his sanction, which of course was requisite under the terms of the Diet of Spires, asked the opinion of Luther and received in reply the advice that he should neither sanction the plan nor allow it to be printed. As might be ex-

[28] German scholars differ widely in attempting to explain the origin of the plan, ascribing it to the influence of Luther, the Spiritual Franciscans, the Waldenses, Wycliff, the Bohemian Brethren, the Swiss Reformation and others, RE, viii, 294.

pected, Luther does not object either to the principles of the plan or to the plan itself, but he thinks it is not suitable to the present condition of affairs. He commends to the Landgraf the laws of Moses of which almost the majority were derived from custom, and urges that a beginning be made in a small way by training a few pastors and small groups of individuals with the aid of simple means or "a little book," such as was used in connection with the Visitation in Saxony, in the expectation that the movement so begun should of itself call into being the institutions provided for in the plan.[29]

The result was that the plan was never put into operation nor even published until modern times. The organization of the church in Hesse followed the line laid down by Electoral Saxony for the most part. The University of Marburg came into being almost immediately as the first Protestant university of Germany, and a few years later the congregations were given a presbyterial organization, which though falling short of the ideal of the plan served to keep alive the ideals of Luther and the Reformation generally, and had considerable influence upon other German churches.

But how did it come about that Luther apparently changed front and gave up his earlier ideals as soon as an attempt was made to put them into

[29] Letter of Jan. 7, 1527.

actual practice? To this the answer is not hard to find. In the first place Luther did not give up his ideals, but, as his letter to the Landgraf Philip shows, only doubted their applicability to the Germany of that time. The introduction to his "Deutsche Messe" (1526) is particularly instructive at this point, for it shows both that he still adhered to his former ideals and that he had given up hope of seeing them realized at present. It was in this year that the Recess of Spires made it legally possible for princes of the Empire to organize state churches on other than Roman Catholic lines and therefore any statement of the champion of the new faith on this subject might be expected to exercise a particular and immediate influence. Moreover, there was real need for some authoritative statement on the subject of the services and liturgy of the new churches. The greatest variety was noticeable in the degrees of variation from the Roman mass, in respect to language, vestments, singing, the administration of the sacraments and indeed in almost everything.

Luther's "Deutsche Messe" was his answer to numerous appeals for advice in the matter. He disclaims any desire to dictate, declares as often elsewhere that most of the matters in dispute are unimportant, and that uniformity is by no means necessary, though it is advisable for the churches in each state to observe uniform usages; and he

then proceeds to describe the services appropriate for the new faith. In the first place he would retain the Latin service, for, Latin being the language of students and of international communications, many would profit from it who could not understand the vernacular. In the second place there should be a German mass modelled on the old Latin service. In this he advises the retention, for the present, of the vestments, altar, altar lights, the elevation of the host and many other characteristics of the old church, among them the singing of the Epistle, the Gospel and the Collects, though to new melodies. "These services," he says, "are for the edification of the youth and the incitement of the simple and careless who are to be found in the majority everywhere. They should, therefore, be as public as possible. For this is not an ordered and constant assembly wherein Christians may be governed according to the Gospel; but is a public incitement to faith and to Christianity."[30] In other words, these services had as their sole purpose the proclamation of the Gospel, and had nothing to do with the mutual edification of Christians, with church discipline or with church government.

But Luther by no means lost sight of these matters, for he proceeds immediately to say: "But the third form, which a proper kind of

[30] WA, xix, 74.

evangelical order should have, ought not to be held in public before all kinds of people; but those who earnestly desire to be Christians and confess the Gospel in word and deed should enrol themselves by name and gather together by themselves somewhere or other in a house, to pray, read, baptize, receive the sacrament and perform other Christian duties. By means of this order it would be possible to find out, punish, correct, expel and excommunicate those that did not behave as Christians, according to the law of Christ, Matt. xviii. A common fund also could be raised by levy here among the Christians for distribution among the poor, after the example of St. Paul, II Cor. ix. In this service not so much emphasis need be laid upon the singing, but baptism and the sacrament [of the Lord's Supper] could be celebrated with brief, graceful ['feine'] ceremony, and all be directed toward the Word, prayer and love. There should be a good short Catechism dealing with the Creed, the Ten Commandments and the Lord's Prayer. In short, if one only had the people and the individuals that desired earnestly to be Christians the order and forms could soon be prepared. But I have not been able to institute or organize such a congregation or assembly as yet, for I have not suitable people or individuals for it, nor do I see many anxious for it.

"If, however, the time comes that I ought to

do it and am so forced thereto that I cannot conscientiously refrain, I will willingly play my part and help to the best of my ability. But just now I will abide by the two forms given above and help to promote publicly among the people such a form of service as will edify the youth, and call and incite the others to faith, as well as the preaching, until such time as those Christians who are serious in their profession assume this of themselves and govern themselves in such manner that the result will not be such discord ['Rotterei'] as I would like to be able to forget. For we Germans are a wild, rough, restless people among whom it is not easy to introduce anything new even in case of the gravest need."

What Luther outlines here is identical, as far as it goes, with the constitution proposed for the church in Hesse, and as the "German Mass" was published before the Synod of Homberg met it must be regarded as one of the influences that guided that assembly. It is also clearly quite consistent with his earlier writings. The distinction between those that take their Christian profession seriously and the other baptized members of the church is not new, for his earlier writings abound with passages in which the "rightly believing" are contrasted with the masses. The proposed commission of discipline and the inner government of the church generally to the former is therefore only a more formal and definite state-

ment of the principle enunciated in the church ordinance of Leisnig and elsewhere.[31] It is simply a more exact definition of the congregation, and it deserves all the more consideration because of this, and also because it was Luther's last and best considered attempt to provide his church with a constitution in keeping with its religious principles.

It is only another indication of Rieker's inability to appreciate Luther's vision of a church in whch every serious minded Christian, actuated by a high sense of his direct responsibility to God, should share equally with all other Christians in its care and government, when he says[32] that this proposed third order is not really expressive of Luther's views but rather sectarian, temporary and fleeting, and in particular that it is borrowed from the Anabaptists, who excluded from their fellowship all except the faithful. On the contrary, if there is any place where we may hope to find Luther's mature thought on the matter it is in his "German Mass." The subject matter, both as regards the organization of the congregation and the liturgical form of

[31] So also Boehmer, *Luther im Lichte der neueren Forschung,* 169, who, however, thinks that Luther did not insist upon the organization of the churches on these lines because he believed the end of the world was at hand. Luther's own explanation, namely, that he could not find suitable people, is simpler and quite adequate.

[32] P. 76 ff.

the services, had been in his mind for years,[33] and what he here presented to his church, he wrote with full realization of the importance that would attach to it. Moreover, the Peasants' War was over and the Anabaptists suppressed for the present. Their doctrines and practices were well known and had been roundly condemned by Luther, so that if he here enjoins a form of congregational government which in some points resembles that of the Anabaptists it cannot be because he is under their influence, but rather because he considers it too important for his own reform to be surrendered to the enemy.

So far, therefore, from regarding this as below the level of Lutheran thought and as containing no principle of genuine evangelical church government, it should be looked upon, as Richter says,[34] as a melancholy reminiscence of what might have been. In other words, this is a sad confession by Luther that he has found it impossible to carry through his reform as he thinks it should be done, and at the same time a word of direction to the church which he has called into being pointing it to the path it should follow when it has gathered strength for the task. But on the other hand, Rieker's estimate of the passage expresses the real thought of the Lutheran church. For the Lutheran church has re-

[33] See the Introduction in WA, xix, 44 ff.
[34] P. 26.

mained in the unfinished condition outlined in the "German Mass," a teaching church, proclaiming the gospel of salvation to all, but without congregational self-government or congregational life. As Von Zezschwitz analyzes it, "It is fundamental to the Lutheran idea of church and doctrine that in any community, the larger the better, greater weight is laid upon proffering the pure word of God and the sacrament as means of eternal salvation even though much weakness, sin and error on the part of the members must thereby be endured, rather than that all the members of the community should be conscious and approved members of the confessional church."[35] Such a state of affairs is of course quite well known elsewhere, but it is contrary to the ideals of the Calvinistic churches, which, along with the proclamation of the Gospel, regard it as of prime importance to care for the edification and constant growth of all the members.

As Professor Sehling puts it, "The idea of the church among Calvinists differs from that among Lutherans in the first place in this, that the Lutheran church is an institution for the proclamation of the Gospel, the Calvinistic church is a school of the saints ['Heiligunganstalt']."[36] That Luther had this latter also in mind for his church is obvious from the "German Mass," and that

[35] Quoted by Rieker, 77.

[36] *Geschichte der protestantischen Kirchenverfassung*, 40.

he despaired of introducing it for a time does not detract from its importance in estimating his ideals. But that the churches called after his name allowed four centuries to elapse without answering his challenge to a higher and freer congregational life, and that some of their distinguished members deny that it really embodies his thought is indeed a cause for wonder.

CHAPTER III

The Abandonment of Congregational Self-Government

As has been said, in consenting to and advising the organization of churches on a basis other than that advocated in his writings, where the rights and duties of the individual Christian had been recognized, Luther did not give up his earlier ideal, but only confessed that it could not be put into practice immediately. This, however, in itself, is a change of so much importance in the history of the Lutheran church and of Germany in general that it is worth while to point out what forces were at work, and what events occurred to bring it about.

First of all there was the great outstanding fact of the existing union of church and state. Since the days of Constantine, and more particularly after Charlemagne, there had been going on a process of blending which by the sixteenth century was so nearly complete that the idea of a separation of the two as it had existed in the earliest Christian centuries, or exists today, occurred to no one either Protestant or Catholic. Each had its own organization and officials and

its own sphere of activity, but the people over whom they ruled were the same in either case, and the two jurisdictions complemented each other in such fashion that the suppression of either would have affected seriously the social organism. The church claimed, and as a rule exercised, full power over a certain class of people in all matters, and over all people in some matters. The state, at least in theory, was inferior to and subordinate to the church from which it derived its power, recognized its jurisdiction and enforced its judgments.

At the same time the changes of the preceding century had all been in favor of the state as against the church. The church was believed to be rotten in head and members and badly in need of reform. Its courts were corrupt and its laws actuated by selfish and material motives. Attempts to reform it by conciliar action had failed, leaving the papacy apparently in a stronger position than ever; but in reality the dissatisfaction was only increased, and the individual nations forced to defend what they considered their liberties and rights.

Coincident with this came a development of national sentiment and of national organization. The standard of intelligence and education was rising. Vernacular literatures appeared. People became more vividly conscious of the homeland and proportionately careless of the international

states called the church and the empire. A new theory of the state was growing up, and with it more adequate machinery for accomplishing its purposes. The loose bond of feudal times with its mutual personal obligations was giving way to a conception of the civil government which laid upon rulers the duty of caring for the life and welfare of their subjects and the right of interfering wherever they thought necessary. Machiavelli had already pictured the state complete in itself, in which the individual disappears in the political whole, the national army ensures peace at home and victory abroad, and morality is subordinated to political expediency.

These influences did not make themselves felt in Germany to the same extent as in some other countries, but their presence is evident in the gradual loosening of the imperial authority and the corresponding strengthening of the individual princes and states. Engaged as he was in avoiding conflicts or repelling attacks by the Turks, the French and the papacy, the emperor was less able than ever to keep his German vassals in check. On the contrary, it was necessary for him to have their undivided support for the successful propagation of his foreign policy; and for this reason he was forced to close his eyes to the many indications of a growing independence, among which is to be reckoned the ardent support of Luther and the Lutheran teachings.

As for the German princes themselves, they were conscious of their own power, and prepared by experience to interfere in matters which, according to Canon Law, pertained solely to the church. As advocates of the church (advocati ecclesiae) and patrons of ecclesiastical foundations they had considerable to do with the conduct of ecclesiastical matters and particularly with the appointment of bishops and other officials. As territorial sovereigns they did not hesitate at times to restrict the jurisdiction of the church courts and the activity of the clergy generally. Frederick the Wise had forbidden the sale of indulgences before Luther published his theses, and a little later the nobility presented to the pope a list of one hundred grievances with the threat that if he did not remedy them they themselves would take the matter in hand. In this way the path was prepared for the peculiar course the Reformation followed in Germany, a church that had lost the confidence of all classes and would do nothing to improve conditions, an emperor compelled by political expediency to acquiesce in the practical independence of his princely vassals, and a group of territorial rulers whose position was becoming constantly stronger, determined to have a reform of ecclesiastical matters even though they themselves had to bring it about.

To this must be added Luther's fiery "Address

to the Nobility," in which he demolished the wall behind which the ecclesiastics had taken shelter and which no one hitherto had dared to storm, namely, the divine right of the church. The nobles were told that they were equally priests with the popes and bishops, and equally responsible as Christians for the welfare of the church. Nay, more, the divine right which Luther took from the church he transferred to the civil rulers, telling them and their subjects, in the words of St. Paul, that the powers that be are ordained of God and that opposition to the rulers, even though they be tyrannical and unjust, is both crime against the state and sin against God.

This explains, therefore, how it could happen when Luther's case came before the Imperial Diet that the German princes refused simply to execute the papal judgment, as they were required to do by Canon Law, and insisted upon looking into the matter themselves, and that when the imperial ban had been added to that of the pope, it was not and could not be enforced in many of the states. The princes were conscious of their independent strength and exercised it, with the result that Germany was on the verge of civil war when its united energy was necessary to repel foreign foes. It was in the midst of such circumstances, and because of them, that at the Diet of Spires in 1526 it was unanimously agreed that "every state shall so live, rule and believe

as it may hope and trust to answer before God and his imperial majesty," until such time as the whole religious situation should be reviewed by a general council. From the standpoint of the empire and the church this was only a temporary measure, a makeshift to tide things over until a more favorable opportunity for suppressing the new doctrines, and by no means an annulment of the edict of Worms. But to the Lutheran princes and cities it was their legal justification for the recognition and establishment of the Protestant faith. To them, and to them alone, had been committed the jus reformandi religionem, a right which they have never surrendered, and which led to the formulation of the historic principle cujus regio, ejus religio.

Within a few months Philip of Hesse called together the Council of Homberg of which we have just heard; and a little later the Elector, John of Saxony, ordered a visitation of the churches in his territory, thereby laying the foundations of a church organization that became normative for other Protestant states. Looked at from the political standpoint, therefore, it is easy to see by what gradual steps German Protestantism fell into the hands of the secular authorities, especially as the sporadic attempts of the Protestant churches to organize on a democratic basis had been, in the opinion of Luther and other reformers, productive of evil.

It is impossible to tell in detail how each church fared that had been organized on a congregational basis. Many of these more democratic constitutions disappeared almost immediately and were entirely forgotten, being unearthed only within recent years. But sufficient information has come down to us, concerning the difficulties and the excesses unavoidably connected with the quick transition from a despotic to a popular form of church government, to enable us to see why Luther rightly or wrongly after five years experience deemed it expedient to leave that portion of the reform to a later and more enlightened time.

No sooner had he denounced the Romish claims to spiritual authority and summoned all Christians as equally entitled to interpret the Word and administer the sacraments to the work of reform, than there came from all quarters, seemingly in obedience to his call, preachers with other and strange ideas which they defended out of his writings, and wished to put into operation immediately. Moreover, it was a grave and legitimate question just where the outward reform should begin and with what speed it should be carried through. Many were of the opinion that a clean sweep of all evils and abuses should be made at once. Luther held, on the contrary, that only such changes as were absolutely necessary should be made at the beginning, and that other

reforms would follow naturally after the preaching of the pure Gospel. He roundly condemned the riotous destruction of church property as the work of the devil,[1] and feared that the haste of many to throw off the Romish law was due to love of the belly and material goods.[2]

Luther's own town of Wittenberg with the neighboring villages was the scene of one of the first of these conflicts. It was exceedingly unfortunate that the first attempt at reconstruction should have taken place during the period of his retreat in the Wartburg, for no one else understood the principles of the new movement so well as he, nor was there any one so well qualified for the role of leader or of mediator between the government and the people. What would have happened had he been at home it is of course impossible to say, but his absence compelled smaller men to undertake the application of the new principles, and allowed entrance to strange and dangerous teachings. There were many groups of individuals and several bodies vested with some authority, but the only person with any semblance of legal authority over students, citizens, guilds, church pastors, university professors and monks was the Elector, and he was very loath to act.

[1] Letters to Melanchthon and Spalatin, DeWette, *Luthers Briefe*, ii, 7 f., 81.
[2] Letter to Lange, *DeWette*, ii, 175.

The result was confusion. Reforms were introduced, but too slowly to suit many of the people. Interruptions of the church services, riotous and destructive demonstrations, and finally a peremptory demand caused the town council and the religious leaders to lay aside their differences and hasten the outward reforms. Among other things the service of the mass was completely altered, the cup given to the laity, aural confession abolished and images forcibly removed from the churches. This in turn gave offence to the Elector, who had not been consulted. He called the leaders before him, including Melanchthon and Carlstadt, charged them with being the fomenters of the iconoclastic riots and obtained from them a promise to refrain from such action in the future. This done, he ordered the restoration of the Roman mass in its entirety. The leaders felt themselves blocked and unable to cope with the situation any further. They sent an urgent message to Luther telling him what had happened and asking him to return. In spite of the protestations of the Elector, Luther came immediately and threw himself into the struggle with all his strength. A series of vigorous sermons preached on successive days soon restored order. He condemned the innovations and the violence of the people on several grounds. In the first place, force should never have been used; the individual citizen has no right to take the law

into his own hands. Secondly, the civil authority, that is to say, the Elector, should have been consulted and his approval obtained. And thirdly, the proceedings had been too hasty and therefore had given offence to weaker brethren. The last point is the one upon which he dwells.

Reform was necessary and the changes must come in time. But the way to bring them about was not by violence or force, but by instructing the people in the pure Gospel, after which they would come quietly and of course. Very little was said of obedience to the civil authority. Luther's action on this occasion corresponds entirely with his teaching. He abolished most of the innovations made during his absence and gave himself up to instructing the people. After hearing him a few days most of the townspeople and others acquiesced in the new arrangement. All the leaders too were apparently content, with the exception of Carlstadt who kept aloof and after a little while withdrew to his farm in the neighborhood, where he continued his studies, developing in particular the doctrine of the equality of all Christians, a mystical theory of the interpretation of Scriptures and a view of the Lord's Supper with which Luther could not agree. But Luther's plan was not successful. The inhabitants of Wittenberg never again attempted to take the matter of reform into their own hands, and in 1524[3] he bitterly complains of their con-

[3] Sermon of November 13, WA, xv, 737 f.

tempt for the Word of God and their lack of Christian love and charity. Whether the apathy was in any way the result of the repression of the first popular movement may remain forever unsettled.[4] The outstanding fact is that Luther refused to lead the people the way they wished to go, and failed to induce them to follow the path he marked out for them.

With this was closely connected what has been called the Tragedy of Orlamund. The council and congregation of this little town, acting on the principle laid down by Luther, admitted to church meetings all members irrespective of rank, and chose Carlstadt as their pastor, the man who was suspected of developing ideas contrary to the Gospel. This was done with the knowledge and consent of the Elector, but without the consent of the patron, the University of Wittenberg, which, however, was duly notified. They then altered the form of the service and destroyed the images in their church. This whole proceeding was displeasing to Luther, who, in his sermons and writings, let it be clearly seen that he classed the

[4] H. Barge, *Andreas Bodenstein von Karlstadt,* 1905, defends the affirmative, and thinks Carlstadt is to be regarded as the hero of a movement among the laity comparable to that in Calvinistic churches and lands and that Luther really blocked the path of progress. Boehmer, *Luther im Lichte der neueren Forschung,* cannot find any sign of "lay christianity," but admires the wisdom and ability Luther displayed in bringing order out of confusion and retaining all that was worth while of the recent innovations.

events at Orlamund with the more violent proceedings of the Anabaptists in the neighboring town of Alstedt. Both were guided, he said, by an evil spirit. "Christ and His Apostles neither broke down churches nor destroyed images, but won the hearts of men with God's Word, and when this was done churches and images fell of themselves." [5] Fortunately there has been preserved a very dramatic account of the further proceedings from the pen of one of Carlstadt's friends,[6] which tells the story from the standpoint of the Orlamundians and enables us to understand better both the temper of the independent congregation and Luther's attitude toward it.

As the Orlamundians felt they had nothing in common with the Anabaptists, and had even expressed their disapproval of the proceedings in Alstedt by formally breaking off all connection with that congregation, they naturally felt aggrieved at Luther's grouping them together, and wrote him just such a letter as might be expected from simple and serious people. They greet him, in the first place, as Christian teacher and brother in Christ, then after stating their grievance declare, "You despise all persons who at the command of God destroy dumb idols and heathenish images. You oppose to them a powerless worldly-

[5] WA, xv, 219.
[6] WA, xv, 341 ff.

wise and inconsistent argument drawn from your own brain, and not founded upon Scripture. But the fact that you so publicly censure and revile us, who are members of Christ adopted by the Father, unheard and unconvicted, proves that you yourself are no member of this true Christ the Son of God." They then invite him to visit them in order to hear their explanations, and conclude with a fraternal greeting.

Luther, who was in the neighboring city of Weimar when the letter reached him, sent word by the messenger that he would come shortly, with the result that the villagers, understanding him to mean the next day, prepared food and drink, and made ready a cordial welcome. Luther, however, did not arrive until a few days later, and coming unexpectedly found the people at work in the fields. As many as possible of the council and the congregation were summoned, however, and did him what honor they could. They greeted him in their best manner, but the writer notes that Luther retained his bonnet on his head and did not return the courtesy. He informed them curtly that he must soon be off again but wished to speak to them indoors. So they went inside and sat and drank while more of the congregation gathered. After a little while the burgomaster invited him to preach to them, on the points in which he said they were wrong, after which they would state their position.

Luther refused, saying that he had come to speak of the letter, that they were simple people who could not have written it, and asking if Carlstadt were not the real author. This they denied, saying he had had nothing whatever to do with it. Thereupon Luther read it and they began to discuss it sentence by sentence, the individual members of the congregation answering freely and to the point. When Luther objected to their having chosen Carlstadt without the consent of their superiors the treasurer answered, "If Carlstadt is not our pastor then Paul teaches wrongly and your books must also be wrong." At this point Carlstadt himself entered the room and an interchange of words between him and Luther followed, which led to Luther's declaring that he would leave immediately if Carlstadt did not go. Carlstadt yielded, left the room and the discussion was continued.

Luther denied that he had ever mentioned the congregation of Orlamund in his sermons or writings, to which the secretary answered that he had lumped them together with the fanatics of Alstedt, in his condemnation of all those that destroy images. And to Luther's rejoinder that he had spoken generally and could not help hitting them, the secretary added: "Then you have hit us unjustly when you compare us to the fanatics." Luther then turned to the general form of the letter, calling it an inimical letter for they had

omitted his proper title, and after greeting him as a Christian teacher at first, damned him in the middle. On their showing surprise at his so interpreting it he burst out with "If I had not known before that you were fanatics I do now, for you burn before my eyes like fire. You are not going to eat me, are you?" Then turning to the main point of the dispute he asked where the Bible ordered the destruction of images. This was answered with assurance by one of the members of the council: "You will admit, Doctor and Brother, that Moses is an exponent of the ten commandments." "Yes," said Luther. "Well, it is written in the ten commandments *Thou shalt have no strange gods,* and in the exposition which follows *Thou shalt do away with all images and have none.*"

The rest of the discussion turned on this point, Luther arguing that only images used for idolatrous purposes were meant, the villagers that all images were included. A copy of the Bible was brought and appropriate passages found and read. Luther asked for the passage Deut. iv, 19, "And lest thou lift up thine eyes unto heaven and when thou seest the sun and the moon and the stars, even all the host of heaven, thou be drawn away and worship them," and then inquired, "Why don't you remove them, too?" But the shoemaker was ready with an answer, "Because the stars of heaven are not made by our

hands, and hence God has not given them into our power. God has commanded us to remove only images and therefore we should not attempt to do it."

As no agreement could be reached the meeting broke up in disorder, Luther again complaining "You have damned me" and the shoemaker answering "Yes, and you will be damned, I hold you and any one like you to be damned so long as he speaks against God and God's truth." As Luther hastened to his carriage they called after him to explain his doctrine of the sacraments, for they had not found his writings satisfactory. Later he said he was glad to have escaped without a shower of stones and mud.

One gets the impression in reading the story that these villagers were serious minded, determined men, eager for instruction and capable of learning, excellent material altogether for a country church; and that Luther showed little or no tact in handling a delicate situation. If there had been any chance of reconciliation before, it was shattered by Luther's analysis of the situation in his work "Against the Heavenly Prophets,"[7] in which, not altogether in keeping with the facts, he accuses Carlstadt of forcing himself upon the congregation of Orlamund[8] and inciting rebellion against the prince in whose territory he

[7] WA, xviii, 62.
[8] RE, x, 73; xxiii, 738.

lived and by whom he was paid. As for the Orlamundians themselves he condemns their election of their pastor because they were moved thereto by Carlstadt, and also because the pastor's salary came from another whom they therefore should have petitioned in the first place. The end of it all was that Carlstadt was banished from the Elector's dominions and Orlamund received a pastor in the ordinary way of patronage.

Still more alarming was the Anabaptist movement, a name that it is convenient to retain though not entirely appropriate. As early as 1520, Thomas Münzer, whom Luther himself had recommended as preacher for the town of Zwickau, began to develop ideas that threatened the common peace. When he was transferred a little later to Alstedt he continued in the same way. It was necessary, he said, to separate the truly faithful from the mass of so-called Christians and to establish them, by force if necessary, as the true church of Christ. He claimed for his speaking and teaching the direct inspiration of the Holy Spirit, and his violence in the pulpit bore witness to his own faith in his teachings and claims. This faith in himself and a crassly literal interpretation of the Scriptures united to open the door to many strange doctrines and strengthened his adherents in their efforts to enforce them. Infant baptism was condemned, as was all learning, for God reveals His truth to the simple and

not to the wise. "The laity must be our prelates and pastors," said Münzer,[9] commending at the same time a certain weaver as an especially inspired interpreter of the Scriptures. The truly faithful were gathered into bands and prepared to meet force with force. The civil authorities were condemned and defied. A neighboring shrine and cloister was pillaged and burned.

Altogether it was a serious state of affairs, and the non-interference of the Elector and the Duke of Saxony is at once a testimony to their unwillingness to interfere with preaching, and an indication of the power of the new movement. For it was Luther that felt himself compelled to intervene and whose advice was followed in the matter. In a letter addressed to the Elector and the Duke John[10] he shows the difference between his own spirit and that of the fanatics. The true Gospel is to be sped only by the preaching of the Word and with this the civil authorities should not interfere. "Your grace should not interfere with the preaching of the Word. Let them preach as boldly and freely as they will, whatever they can, and against whom they will. For as I have said, there must be sects and the word of God must go to war and fight . . . if they have the right spirit, he will not fear us and remain the victor. If we have the right spirit

[9] RE, xiii, 558.
[10] WA, xv, 210.

he will not fear them or any one else. Let the spirits fight it out together. If some are led astray thereby, that's all right. That is the way with all battles—some must be wounded and fall." But when it comes to blows or even the threat of force, then beyond doubt it is the work of the devil and should be suppressed by the civil authorities who are appointed by God to keep peace and suppress the rebellious.

Accordingly the Elector did intervene, with the result that Münzer saved himself for the present by flight to Mühlhausen where he continued his activity and later joined hands with the peasants in their rebellion. How great his following was at the time it is impossible to say. But as his hearers sometimes numbered as many as two thousand, as the town council of Alstedt and even the Elector's representatives were among his followers, and as he was reputed to have organized bands of the faithful in some thirty neighboring places with which he was in contact through messengers, the fear of serious trouble was well grounded.

More portentous, however, than the defection of either Carlstadt or Münzer was the uprising of the laboring classes known as the Peasants' War. These poor people believed they had just ground of complaints against the land owners. Luther agreed with them and history confirms his verdict. They also believed, and what was still more im-

portant, others believed and proclaimed that their revolt was in keeping with the principles of Luther's reform and indeed one of its direct results. We can almost picture to ourselves Luther himself writing their first petition:

"First it is our humble petition and desire, and also our unanimous will and resolve that in the future we should have power and authority so that a whole community should itself choose and appoint a pastor; and also power to dismiss him when he conducts himself improperly. The pastor thus chosen should teach us the Gospel purely and simply without any human addition, doctrine or command. For by constantly preaching the true faith we will be led to beseech God for His grace, that this true faith may be planted and confirmed within us. For if His grace be not planted within us we remain flesh and blood which availeth nothing; for the Scriptures plainly teach, that we can come to God only through the true faith, and only through His mercy can we be saved. For this reason such a guide and pastor is necessary, and in this fashion grounded upon the Scriptures."

It was only natural that they should turn to Wittenberg for aid and that Luther should adopt their cause in principle and denounce the selfish arrogance of the landlords. In an "Admonition to Peace"[11] he warns the nobility that the demands of the peasants are just and should be granted,

[11] WA, xviii, 279.

otherwise the wrath of God will fall upon them either at the hands of the peasants or in some other way. Similarly he warns the peasants that though their demands are just they must be submissive to the authority ordained by God and not use force, however unjustly abused they may be. Both nobility and peasants, he adds, are acting in an unchristian manner and for selfish, unchristian ends, and both are advised to change their ways and come to an agreement. But when this advice was unheeded and the movement grew to huge proportions threatening to sweep destructively over all Germany, Luther definitely took sides with the civil authorities as those appointed by God to maintain order, and urged all who could to prevent the spread of the conflagration.

The peasants, he said, many times over deserve death of body and soul. Not a devil is left in hell, but all are in the peasants, who have broken their oath of allegiance, rob and plunder where and what they will, and endeavor to cover their sins with the mantle of the Gospel. Therefore "stab, beat and strangle them, whoever can. Dost thou die thyself in the struggle, happy art thou, thou couldst never find a more blessed death. For thou diest in obedience to God's word and command (Rom. xiii) and in the service of love, saving thy neighbor from hell and the devil's hands."[12] The result was that the peasants were suppressed by

[12] WA, xviii, 361.

arms and their economic and legal position made even worse than before.

These incidents may serve to indicate how it was that Luther did not feel the people were sufficiently serious with their Christianity to be charged with the duties of church discipline and congregational management. False teachers easily led them astray, selfish and material desires dominated their religious views and they could not be controlled except by force. Luther's faith in "the common man" had been greatly shaken by the uprising. He feared unless necessary reforms were made that another such rebellion would break out or God visit them with plague for their sins.[13] At the same time there was no one with the necessary ecclesiastical authority to undertake the work. The Roman bishops showed no inclination to do so, and the congregations themselves were unfitted for the task. "From the peasants nothing is to be expected," he writes, "and there is such a lack of thankfulness among the people for the Holy Scriptures that undoubtedly God will punish us with a plague before long. If I could do so with a good conscience I would let them remain without pastor or preacher to live like the pigs, as indeed they do. There is no fear of God nor discipline any more, and everyone does as he pleases since the pope's ban has been published."[14]

[13] WA, xix, 436 ff.
[14] Letter to the Elector, *DeWette*, iii, 135.

Matters indeed were in a very serious condition. The old sanctions and restraints had been removed and no new ones had taken their place. The new Gospel had caused much commotion but had brought no improvement in life and manners. Its opponents, including Erasmus, could point to it as the source from which had sprung the excesses of the Anabaptists, the terrors of the Peasants' War and the general immorality. In these circumstances Luther turned to the civil authorities though not without again reminding himself and them that the rights and duties of the civil ruler in respect to the church are limited.

Reviewing the whole matter, if we were asked what Luther's views of church government and of the relation of church and state were during these early years, we should have to say that he had no definite and fixed opinions on the subject. That is to say, there was no one form of church government that appeared to him to be either essential to the existence of the church or exclusively proper to it. All his thought was dominated by the idea of salvation through faith in Christ and the desire to proclaim it to his fellow countrymen. To this end he worked unweariedly on the translation of the Bible, the preparation of a catechism and preaching the Word.[15] If these were allowed

[15] Luther described his own attitude in a sermon delivered on December 8, 1523. As reported by Rörer he said: "Quare nec ego bin keck quicquam in der Christenheit an-

free play he believed everything else would fall into line. Anything that obstructed the Gospel, no matter whence it came, was reprehensible and unlawful and not to be tolerated; but disobedience to secular authority should never take the form of forceful opposition. And similarly any one that could further the cause of the Gospel in any way was bound by the law of God to do so, by all the means in his power, but in this case also force might not be used.

It was a reformation of doctrine that he desired and not a reconstruction of the church. He contemplates without disapproval a reform within the church which shall not disturb the existing organization with its pope, bishops and priests; he calls on secular rulers to use their authority in purging the church and society and in providing suitable preachers; and he defends the right of individual Christians to associate themselves in congregation having power to judge doctrine, appoint and dismiss preachers and other officers, exercise discipline and generally to conduct the affairs of the congregation. He seems to have held the view that these three, the ecclesiastical hierarchy, stripped of course of its priestly character, the civil rulers and the individual congregations and Christians might cooperate in

zurichten. Certus sum me dei verbum habere et praedicare et vocatum esse, sed quicquam statuere formido," etc. WA, xi, 210.

Christian love and harmony, as indeed they might in heaven but nowhere else. All of which is simply saying in other words that Luther was a preacher of the Kingdom of God and not an ecclesiastical statesman. He regarded organization and forms as necessary, but he did not think them of primary importance. Moreover, he was not a systematic thinker. He attacked each problem by itself as it was presented to him. All his writings are occasional. He did not attempt to formulate even his theology, but wondered at Melancthon's superior ability at this kind of work. And in matters pertaining to the outward form and government of the church, his utterances are scattered, unrelated and, contemplated from the vantage ground of four centuries, not entirely consistent either with one another or with his actions.[16]

[16] Professor Drews, *Entsprach das Staatskirchentum dem Ideale Luthers,* 1908, in combatting Rieker's thesis endeavors to show that Luther, although he did at first appeal to the princes to reform the church, did so with the assumption that the princes were, or would be, serious minded, faithful Christians, and that when he was enlightened as to their character he turned to the individual faithful Christians and congregations of true believers, as in the case of Leisnig. In this Professor Drews has not been successful. It is comparatively easy to show that Luther from the beginning was aware of the great number of hypocrites or false Christians among the nominal church members, and that in planning reformation and reconstruction he expected assistance from only the true believers, whether prince or peasant. But to say that he looked first to the rulers and

It is therefore quite true, as is frequently said, that Luther committed his church to no one theory of organization or government, but laid its foundation so broadly that it can accommodate itself in accordance with its principles to every system. At the same time, this is not the whole truth, for besides those passages in Luther's writings which free his church from slavery to form there is a steady current of thought running through his writings and becoming more defined as we approach the decisive year of 1526, and continuing later, to the effect that the doctrine of the priesthood of believers should find expression in the outward organization of the church. In matters pertaining to doctrine, preaching and the administration of the sacraments, to faith and Christian love, all true Christians have inalienable and indefeasible rights and duties, which they share equally. They are the source of all authority. Preachers and other officers are to be elected, and possess power only because and so far as it is

afterward to the people is to misunderstand him fundamentally. At the same time, and in the same writing in which he appealed to the nobility, he showed that he had the self-governing congregation in mind, and a few years later when he was bending every effort to convert the minds of the people and monks of Wittenberg from the sacrificial mass he also appealed to the Elector to prohibit it, a fact which Drews has difficulty in reconciling with his views (p. 88). The simple fact is that Luther did not see any inconsistency in appealing to both prince and people at the same time to purge and reform the church.

delegated to them, and they should exercise it only with the consent and approval of the congregation. Within the congregation a line should be drawn between the young and careless on the one hand and the serious minded Christians on the other—as we say between adherents and members. The latter should be enrolled in a separate register and should charge themselves or be charged with the oversight of the welfare of the congregation, the education of the young, the disciplining of the careless, the relief of poverty and their own spiritual growth.

Luther regarded this as the form of church government which was the natural outgrowth of his principles and said so in all seriousness, though at the same time confessing that it was impracticable then on account of the lack of serious minded Christians, and therefore postponing its establishment until the people were ready for it.[17] In this

[17] His conversation with Schwenckfeld in 1525 reveals his embarrassment. Being pressed for his views regarding the establishment of discipline in the churches he answered: "Yes, my dear Caspar, the genuine Christians are none too common, I would like to see two of them together. I don't know a single one." *Zeitschrift für Kirchengeschichte,* xiii, 554, quoted by Drews, 63. Two years later he thinks that the church visitation ordered by the Elector will lead to the establishment of such congregations. In a letter to Nicolaus Hausmann he writes that the Elector "velle maturare visitationem parochiarum quod ubi factum fuerit, tum constitutis ecclesiis poterit usus excommunicationis praesumi: laceris autem ita rebus quid praesumas?" Quoted by Drews, 66, from DeWette, iii, 154; Enders, vi, 10.

he proceeded in the same manner and on the same principle as in the abolition of the elevation of the host, the use of the Latin mass, the removal of images and other things, some of which disappeared during his life time and some later. But there have been few and unsuccessful attempts to give to the individual Christians their due share in the government of his church or to the congregation the management of its own affairs. This is one of the matters in which Lutheranism parts company with Calvinism, for it cannot have escaped notice that what Luther despaired of establishing in Germany, John Calvin did establish in Geneva, and his followers carried to France, Holland, England, Scotland and America.

It is perhaps a thankless task to inquire whether Luther could have carried through this part of his reform. But though no definite answer may be given and Von Bezold assures us that not even Calvin himself could have withstood successfully the current moving in the direction of absolutism in the German states,[18] there are several things that ought to be said. First of all there is the universal truth enshrined in the proverb "strike when the iron is hot." There is no doubt that much more could have been accomplished when the glow of the early enthusiasm of the Reformation was upon Germany than afterward. Luther came slowly to the realization of the

[18] *Kultur der Gegenwart,* Teil II, Abteilung V, 1, p. 71.

revolutionary nature of the idea he threw broadcast to the people but others were not so tardy. Princes and people stood ready, more ready than he seems to have recognized, to put it into application at once. Whatever criticism we may level at Carlstadt and the congregation at Orlamund they were certainly right in thinking that those things which they knew by experience to be tainted with idolatry should be removed from their worship. And however we may condemn the excesses of the Anabaptists, they were certainly justified in making some distinction in their organization between the serious minded Christians and the mass of baptized members of the church. And as for the miserable and misused peasants, when they quietly dispersed in Switzerland upon some concessions being made, and when those on Philip of Hesse's lands swore willing allegiance to him at the same time as their brothers elsewhere were in rebellion, it is to be regretted Luther should have taken such a definite stand with the princes whom he rightly condemned as cruel and unjust, and thereby have lost the confidence of the lower classes and his own faith in them. The same qualities which made it impossible for Luther to cooperate with other leaders like Carlstadt, Zwingli and Schwenckfeld, and later drove all but Melancthon from his side, prevented him also from recognizing the good characteristics of the common people and entrusting them with self-government.

As for the Protestant princes themselves, it seems more than likely that they would have allowed themselves to be guided by Luther had he wished to reconstruct the church on democratic lines. As Von Bezold says "With all his caution he [Frederick the Wise] would perhaps have followed his Doctor Martin on the way of a radical ecclesiastical transformation, but the Reformer, filled with a deep seated distrust of 'Herr Omnes,' which was intensified by his experiences with the evangelical radicalism, soon turned from his original thoughts of congregational self government."[19] Something of the same sort may be said of Duke John of Saxony, whose long forbearance toward the Anabaptists testified to his desire not to interfere in matters of the church, and whose organization of the church of Saxony which became normative for the other states followed the lines suggested by Luther. The fact is that the German princes, though willing to interfere in ecclesiastical matters when need demanded it, were accustomed by long training to leave such things alone, especially those that related to the religious side of the church's activities. Albrecht of Brandburg undertook the control of the church in his lands with the words "We have been forced to take upon us a strange office, namely, that of bishop." The attitude of Philip of Hesse is even more enlightening. This prince, who appears to

[19] *Kultur der Gegenwart,* Teil II, Abteilung v, 1, p. 70.

have understood his subjects and to have enjoyed their confidence to a degree unusual at that time, not only thought a democratic form of government for the church feasible, but also took steps to inaugurate it at the first opportunity, being dissuaded from putting the plan into operation only by Luther himself. When in addition to this it is remembered that the Germans were not unfitted for self government, that the free cities had long been accustomed to manage their own affairs, and that even smaller cities and towns enjoyed at that time a greater degree of self govrnment than they did later, we may well ponder what might have been the result had Luther retained his faith in the common man and insisted upon the immediate application of his principles to the organization of his church.

The principle of local self-government either in church or state is not easy to defend in face of the frequent ludicrous and sometimes serious blunders of the common man. But it is correct theoretically to say that those who have committed the blunder and must feel the consequences in their own lives are most apt to correct it and to avoid similar mistakes thereafter; and experience has shown that when men have approached these duties with a sense of responsibility to God and their fellow men, they have soon fought their way through the first difficulties and established churches, municipalities and even states on solid

foundations, and arranged for their continuance by a proper training of their children. Luther knew that the "spirits" must be given liberty to fight, but by postponing organization until the battle should be over he forfeited for his church the most effective weapon of defence and offence and the only proper school of discipline.

CHAPTER IV

The Establishment of the Territorial System

When Luther definitely put behind him the hope of establishing the church on the basis of the universal priesthood of believers and their equality of rights in the new organization, he turned, though reluctantly, to the only other authority whose divine ordination he recognized, namely the civil ruler. This does not mean of course that the secular authorities had been excluded from his thought before this, nor on the other hand that it was his intention to create a caesaropapacy. To imagine either of these would be to ascribe to Luther a conception of church and of state respectively foreign to his time. His program from the beginning called for the cooperation of the civil authorities, and in all he did he sought their sanction and consent. In summoning the princes now to do what the mass of the people could not be trusted to do, he was merely calling upon one section of the church to act for the whole. This conception of the rulers' position is one of the peculiarities of the legal position of the Lutheran church, and has given rise to much legal

quibbling. For, as the civil ruler was not called upon to govern the church in virtue of his civil position, but as a Christian, as a conspicuous member of the church, "praecipuum membrum," was bound to use and actually did use his secular authority in its service, it is still debated whether his authority in respect to the church belongs to him as territorial sovereign or is part of the personal regalia. Luther's view was that the prince had duties toward the church but no rights over it. Of course there was no concealing the fact that the princes had actually stepped into the position of the bishops and exercised episcopal functions, and the name "emergency bishops" given to them by Luther is both a recognition of the actual state of affairs and another indication that he regarded it as only a temporary arrangement.

It would be tedious and unprofitable to trace in detail the organization of the church and its subordination to the state in Germany, and to follow all the ramifications of the system in the several principalities and towns. The following broad outline will be sufficient to show under what conditions the Lutheran church was called upon to do its work. The steps in the organization of the church were, as a rule, (1) a visitation of the churches, (2) the appointment of superintendents, (3) the appointment of a consistory or consistories.

The first definite steps toward a general visi-

tation of the churches in Saxony were taken only after it was evident that nothing in the way of reform was to be expected from the Roman authorities, after the peasants' uprising had exposed the deep rooted unrest among the lower classes, and its suppression had rendered them antipathetic to Luther's ideas, after sufficient evidence was at hand to show the material dilapidation of the church and the moral degradation of the people, and after the Recess of Spires (1526) had given the princes some legal justification for interference. Luther saw that some action was necessary to preserve society from a repetition of the horrors it had just experienced, to bring the Gospel to the people and particularly to provide the means whereby the rising generation might be trained and disciplined whatever their elders might do. "The parishes are suffering grievously," he says. "Nobody gives; nobody pays; offerings and altar dues have fallen off, tithes are either not paid or too small. The common man respects neither preacher nor pastor, so that unless some bold regulation is made for the suitable maintenance of the parishes, there will soon be no parsonages, schools nor scholars and God's Word and worship will disappear."[1]

In this distress, as "necessity demands it," he turned to the civil authoriy because, as he says, "it is the duty of all of us, but especially of the

[1] *DeWette,* iii, 39.

secular authority, above all things ['für allen Dingen'] to educate the poor children that are daily being born and always growing, and to hold them to the fear of God and discipline, for which schools and preachers and pastors are necessary. If the older people will not have it, let them continue to go to the devil. But the secular authority is at fault if the youth are neglected and undisciplined."[2] "To be sure it is not the duty of the civil ruler to preach or to govern in spiritual matters" but as none of the reformers had the right to undertake it and the Roman authorities would not, therefore the secular authority, out of Christian love, for God's sake, for the good of the Gospel and the welfare of his Christian subjects and to prevent dissension and rebellion should appoint a commission to visit the churches and regulate their affairs. The example of Constantine in calling the Council of Nicea to dispose of the Arian question is cited to prove that it is the duty of rulers to take care that dissension, conspiracy and rebellion do not find a lodgment among their subjects.[3]

Nothing can be plainer than that Luther and his associates regarded such action of the civil ruler as extraordinary, exceptional and beyond his ordinary jurisdiction. Even Rieker, though he

[2] *DeWette,* iii, 135 f.

[3] Luther's fullest discussion of the matter is found in his preface to the *Visitationsbuch,* 1528.

seeks vainly, here as elsewhere, to draw a line between the purely spiritual offices of the church, preaching and the administration of the sacraments, and its other interests, is forced to admit this. Indeed it would be hard to find a better summary of the situation than he gives: "According to the reformers' ideas and thought visitation is an episcopal duty and does not pertain to the civil authority. But as the civil ruler is a member of the Christian body, in case of neglect of duty on the part of the . . . bishops, he may interfere in an extraordinary and representative manner, and do that which he is not ordinarily and properly competent to do. His legal justification is given by 'the office of love which is equally imposed upon all Christians' and he is the more called upon to exercise it because as 'the undoubted civil authority ordained by God' he is in duty bound more than all other Christians to uphold what is best and to ward off trouble. In this way is explained the apparent contradiction that the secular authority is not competent to order a visitation and yet the Elector is asked to do so, that as civil ruler the Elector is not bound to visit the churches and yet is summoned thereto by Luther as 'our undoubted secular authority ordained by God.' "[4]

The explanation, of course, is to be found in Luther's own phrase "Need is need and knows no

[4] P. 157.

law." Luther, as we have seen, looked forward to a time when the members of the church should take their Christianity seriously and assume, of their own volition, the burdens of the church. In the meantime, however, as the Roman authorities refused to move, as he could not find the proper persons within the congregations to undertake the task, as the older people were living like pigs and must be left to go their way to hell, something strenuous must be done to train the rising generation for the task. For this purpose the civil ruler was called upon to act temporarily, but only temporarily, as bishop, as emergency bishop to use his own word, until such time as the people would be willing to assume their duties.

The first visitation was undertaken by Duke John in 1527 and carried through by commissions composed partly of divines and partly of civil lawyers, who kept in touch with the Duke on the one hand and the reformers in Wittenberg on the other. The condition of affairs exposed by their inspection could hardly have been worse. A few pastors were properly housed and cared for, a few were preaching the Gospel intelligently and seriously. But generally speaking they were uneducated and immoral, living in almost abject poverty and supplementing the slender income they received from the church by keeping taverns, exorcising evil spirits or other means. They were unable to give proper instruction, and their flocks

suffered. The people had no respect for their pastors, and little or no knowledge of religion. Of the new doctrine they had only the vaguest notions. The buildings, churches, vicarages and schools were commonly neglected and badly in need of repair, and there were no funds available for rebuilding.

Altogether, the situation was so bad that it demanded not only an occasional visitation but permanent supervision. For this reason the commissions were not everywhere dissolved, but continued as a sort of general council for ecclesiastical affairs, and tried men were appointed under the name of superintendents, to have oversight over local districts. With this loose organization matters ran on for several years. Melanchthon prepared a set of Instructions for Visitors[5] which provided materials for the reformation of the church services, and so facilitated the work of superintendents and pastors alike. Luther was frequently called upon for advice, and the Elector in whose name and by whose authority everything was done was the court of final resort.

Before long, however, it became evident that the many things included in ecclesiastical affairs at that time could not be properly handled without a permanent standing court for the purpose. The matter of marriage may illustrate this, for it contributed as much as any one thing to the

[5] Sehling, *Kirchenordnungen*, i, 149 ff.

next step in the organization. According to the Roman theory marriage was a sacrament and everything pertaining to it was brought into the church courts. The reformers denied the sacramental character of the bond and criticized the Roman regulations concerning it, but continued to treat it and all relating to it as a church affair, following the Canon Law in this as in other things. Obviously difficulties would arise, as they did arise, far beyond the power of the local pastor to resolve and calling for adequate legislation and tribunals.

This and other similar matters led to the establishment, in 1539, of a consistorial court, modelled after the Roman Catholic episcopal court and composed, as were the boards of visitors, of divines and civil lawyers. It was appointed of course by the Elector, and immediately responsible to him; and although it was not at first intended to do so, it soon supplanted the boards of visitors and became the supreme court of the church in the district assigned to it.[6]

It goes without saying that where there were so many political units each of which was completely independent of the others in ecclesiastical matters, the development was not everywhere uniform, nor the machinery of church government the same. The Wittenberg consistory was created in 1539, that of Hesse in 1610 and the one in

[6] Sehling, *Kirchenordnungen*, i, 55 ff, 200 ff.

Waldeck as late as 1676. But the underlying general principles were everywhere the same, namely, the supremacy of the prince in all theological and ecclesiastical matters. With this definitely settled it was of lesser importance that at one time and place he acted through consistories, at another through the superintendents, at another through special commissions or the regular political channels.

It is true that sporadic attempts were made to preserve the Lutheran principle of the equality of all Christians, and to erect churches on the broad foundations it laid. The right of a congregation to call its own pastor was not forgotten, nor indeed could it be, for it had been incorporated in the creeds of the church,[7] but save in very rare instances the people were allowed neither a positive part in the choice, nor even the veto. Patronage continued as in earlier times subject only to the will of the prince or his subordinate officials. The same is true of church discipline which was constantly mentioned by the reformers, quoting the Gospels, Matt. xviii, and St. Paul, 1 Cor. v, as belonging to the whole congregation, but which in the new order fell to the local pastor, or more generally was reserved for the superintendent or other officials, even for the prince himself.

In the towns, both the free imperial cities and

[7] E. g. in the Appendix to the Smalcald Articles, Part II. *Book of Concord*, p. 341.

the lesser municipalities, there was more liberty. The town fathers occupied the place of civil authority, and carried their political ideas into church matters. But here too the tendency was to place the authority in the hands of the council rather than to organize the people into a congregation with power over its own affairs.

In 1526 Johann Brenz, who later became famous in Lutheran theological circles, prepared for the town of Hall a constitution of the church which made the congregation completely independent of the city fathers. A number of honorable men were to be elected elders (presbyters), and one of them pastor (episcopus). These acting for and with the congregation were charged with the duty of caring for preaching, the administration of the sacraments, and church discipline, which was to be patterned after Christ's directions in Matt. xviii. Cooperation with other congregations was to be effected by delegates meeting together in council. Unfortunately, however, we do not know that this plan was even tried, and a little later we find Brenz himself opposing the establishment of a like system in Württemberg.[8] Something similar was attempted in Stralsund in 1525 and in Reutlingen in 1526.[9] In the city of Ulm, according to the Ordinance of 1531, there

[8] Richter, *Geschichte der evangelischen Kirchenverfassung*, 32, 48 ff.

[9] Sehling, *Geschichte der protestantischen Kirchenverfassung*, 30 f; *Kirchenordnungen*, iv, 540.

were to be periodical gatherings of the pastors of the several churches for the purpose of counsel and mutual improvement, also synods to which clergy and laymen were admited, while discipline was committed to a body composed of four members of the council, two of the clergy and two from the congregation.[10]

A very good example of the conflict of the two ideals is to be found in the duchy of Hesse. This little principality, as we have seen, was prevented only by the intervention of Luther himself from putting into operation the liberal and democratic constitution prepared at the Council of Homberg in 1526. Following this the welfare of the church was committeed for a time to six superintendents with large episcopal powers. But in the year 1539 the former ideas again came to the front with a law requiring the election of elders in every congregation. Honorable and respected members were to be chosen for the office, some by the council and some by the congregation, and all were to be accepted by the congregation. They were to be charged with the oversight of all things pertaining to the congregational life, with the proviso that in exercising discipline they should excommunicate no one without the consent of the superintendent. This was evidently a step toward transferring the power from the civil ruler to the people as Luther had outlined it in his "German

[10] Richter, 157.

Mass." It was therefore only natural that he should approve it and commend it to other churches, urging "that we again establish among us the ancient ordinance of the Holy Spirit, which is given us in the apostolic writings, and prescribe for the ministers of the Word in every church, corresponding to the number of its members be they many or few, certain presbyters, that is elders—the wisest, most modest, most zealous and most pious in the Lord."[11] The clergy of Albertine Saxony too were encouraged to demand the establishment of such a council of elders in every municipal church (not in country churches), basing their contention as did Luther before them upon the example of the early Christian congregations.[12]

But neither in Saxony nor in Hesse could the two incompatible regimes exist together. In Saxony where they were opposed by George of Anhalt, who was at once bishop and prince, the clergy were content to drop the matter "for the present" as they said, and in Hesse, although the elders were retained and even divided after the Calvinistic manner into "teaching" and "rul-

[11] Quoted RE, xvi, 9. See also Luther's letter to Anton Lauterbach, April 2, 1543, *DeWette,* v, 551, "You would do a good thing and give me much pleasure, if you could again introduce the ban (discipline), after the manner and example of the earliest churches. But the undertaking would give great offence and annoyance to the young gentlemen of the court for they are unaccustomed to discipline."

[12] Sehling, *Geschichte,* 81 f.

ing" elders in 1566, the synod of 1568 composed of the superintendents, representatives of the clergy and of Marburg University, and delegates of the civil authorities had little resemblance to a representative body of the whole church, and by 1610 the popular element had disappeared to such an extent that the consistorial system was established. The only element of popular control that remained was the right of the congregations in one section of the country to a share in the exercise of discipline.[13]

From these examples there can be no doubt that "the introduction of the lay element into the organism of the church and indeed its elevation to a controlling position [is a] genuinely Lutheran idea,"[14] and did not yield without a struggle. The writings of the reformers themselves, the early church constitutions, and the later conflicts with the civil authorities all bear witness to this effect. But there was also another source, from which the same principles were derived and from which they spread in all directions, clashing with the hierarchical church of Rome on the one hand and with the state establishment of Lutheranism on the other. This of course was Switzerland, where the implications of the doctrine of the universal priesthood were as clearly recognized as in Wittenberg and where the representative char-

[13] Richter, *Geschichte*, 183 ff.
[14] Sehling, *Geschichte*, 32.

acter of the political institutions made its application, if not inevitable, at least much less difficult than in imperial Germany. It is true that at first there was the same commingling of the political and the ecclesiastical that we have observed in some German towns, but it was never forgotten in Switzerland that the town councillors derived their authority in ecclesiastical matters from their election by members of the Christian community. Moreover, as the work of the Reformation developed and the issue became more clear, John Calvin vindicated for the church in Geneva, and for all the churches that came under his influence later, the right of the church as distinct from the civil authority to exercise its own spiritual discipline and to debar sinners from its communion, and at the same time gave it a constitution according to which the ultimate authority was vested in the people, the government entrusted to a committee of the best of them, and in which the church courts were composed of peers who took counsel together on equal terms and without the admission of any external authority either ecclesiastical or political.

The influence of the Swiss Reformation was felt in the southwestern part of Germany, the valley of the Rhine, and also farther east, but so similar are the fundamental principles of the two movements in respect to the liberty of Christians and their position in the church that it is fre-

quently difficult if not impossible to say whether this or that constitution in the earlier years sprang from a Lutheran or a Swiss source.

Unfortunately, however, the theological differences that soon parted Luther from Zwingli and were continued after their death as between Lutherans and Calvinists were carried over into the sphere of church government, with the result that anything partaking of the nature of a democratic organization was dubbed Calvinism and thereby condemned; and on the other hand the consistorial system with its subordination to the civil authority obtained a new commendation as being the genuine and truly Lutheran form. Accordingly when in Württemberg, after a vain attempt to organize the lower orders after the Calvinistic manner in 1547, the consistorial system was carried to completion in the graduated courts of superintendents, general superintendents, church council and sovereign in 1559, ardent Lutheran divines like Jacob Andrea successfully advocated the establishment of a similar system in Brunswick (1569), Electoral Saxony (1580) and elsewhere in the interests of orthodox Lutheranism.[15] Thus a new, unwarranted and factitious argument was added to the forces already making for the absolute supremacy of the prince in religious and ecclesiastical affairs.

[15] Richter, *Geschichte,* 121 ff; Sehling, *Kirchenordnungen,* 130 ff, 359 ff. *Geschichte,* 32.

With this step was concluded the organization of the Lutheran church; and we may pause to see what it meant. In the first place it is to be remembered that although the consistory was regarded as an ecclesiastical court, that is to say, as belonging to the church and acting in the service of the church, it was entirely the creature of the civil ruler. As Sehling says,[16] "What was the real position of this body? Whose will called it into existence? Whose will was normative for it? Who nominated and removed its members? Who issued the instructions and the ordinances governing it? The territorial ruler. Is it then amiss to characterize the consistory as his judicatory from the beginning? To be sure he occupies the place not because of hierarchical superiority but because of his duty, as chief member of the church, to care for the purity of doctrine; but this explanation is unable to alter the naked facts." In other words, the Lutheran church was surrendered into the hand of the civil government and as Zorn says,[17] "The very thing that the reformers emphasized so strongly in opposition to Catholic church, namely, that the centralization of ecclesiastical authority in one person was unallowable, and that moreover spiritual and secular matters must be kept separate at all costs—this

[16] *Geschichte,* 18.

[17] *Zeitschrift für Kirchenrecht,* vol. xii, 143, quoted by Rieker, 167.

very thing was soon forgotten and in the establishment of the territorial church government the place of the pope was occupied by the prince, whose administrative organ was the consistory, and instead of spontaneous activity in the church a church government was established which was centralized in his court."

It is true that something was gained by the creation of a special court for ecclesiastical matters instead of referring them to the ordinary departments of government. Rieker[18] makes much of this, endeavoring to show that this and nothing more than this was demanded by the reformers, and that it actually realized their desire for a separation of the spiritual and secular governments. To this it is only necessary to answer that the consistory cannot be regarded separately from the prince who called it into being and upon whose pleasure its existence depended, and that in him, if not in the consistory, was to be found that commingling of the two regiments which Luther so strongly condemned. The only way in which the consistories could have been made conformable to Luther's teaching on the one hand and to civil establishment of the church on the other would have been an arrangement whereby the church courts derived their authority from and were responsible to the whole body of Christians and were then recognized or acknowl-

[18] P. 168.

edged by the civil authority in some such way as the appointees of Rome had been recognized before the Reformation, or a responsible minister is recognized by a constitutional monarch. But for a German prince to play such an impersonal part in the government was impossible according to both the theological and political theories of the sixteenth century.

It has also been argued that the independence of the consistory was safeguarded by the circumstance that the Bible and the confessions were its ultimate authorities and that over these the prince had no control.[19] And of course there is some truth in this. The recognition of the Bible as the undoubted word of God, and of the Confessions as the faithful expressions of the truth therein contained, prevented much arbitrary legislation and helped to ensure to the people such doctrines and practices as were unequivocally stated. But besides these there were many questions of interpretation involving both doctrine and usage which required settlement. Indeed it was because of this that the consistories had been created; and to say that they were independent of the prince in their investigations or in the making and application of laws is to deny the plain facts of history. Not only did he control their action indirectly by his appointments and dismissals, but he personally cooperated with them. Nor indeed could it be

[19] Rieker, 70.

otherwise, according to the legal conception of his position. The imperial diet had committed to him the right of reforming religion, the church had taught that it was his duty to guard the two tables of the law and to provide true doctrine for his subjects. Looked at from either the political or the ecclesiastical standpoint he was the final authority, and he had no rival. He was as truly head of the church as of the state, and that he himself had no doubts on the matter is evident from his reserving for his own consideration the most weighty questions and sometimes at least presiding in the consistorial court.[20]

There were three quarters from which effective opposition to this monarchical government of the church might have been expected: from the people first of all, who had been called to the leadership by Luther and the principles of Protestantism; from the clergy, who were accustomed in Roman times to dictate alike to people and prince, and from the nobility, who in the local diets shared in the political government of the principality. But from the people, after the suppression of the Anabaptists and the peasants and their rejection by Luther, nothing was to be expected, and nothing was heard for two centuries. The clergy and the nobility did not yield without a struggle.

As long as Luther and his great associates

[20] Sehling, *Kirchenordnungen*, i, 230.

lived and as long as the traditions of Roman Catholic times retained their force, the new power of the prince was neither exercised nor felt. The clergy advised and the prince published their advice, in the form of enactments. But when Luther and Melanchthon were dead and the smaller men that succeeded them, not being able to agree, gave themselves up to theological disputes which they conducted in such an uncharitable fashion as to forfeit much of the respect due to their position, the prince was forced to form his own judgment and to realize his new responsibility and power. It was only by his word that controverted points could be decided, the disputants silenced, imprisoned or banished, and peace maintained in the church. Much depended of course upon his personality and his disposition toward the church and religion. The Count of Henneberg, for instance, was very much averse at first to setting himself, a single member of the church, above the consistory, and allowed his superintendent to dispute his right to make any changes in church ordinances and ceremonies.[21] But such examples are rare. Even the Count of Henneberg soon changed his mind. The claims of the clergy to an authoritative place in the church gradually disappeared, being completely overshadowed by the better grounded and materially defended claims of the princes.

[21] Sehling, *Kirchenordnungen*, ii, 276 ff.

In Pomerania their influence had the most lasting effect. Here the clergy were charged by their Duke with the reformation of doctrine, ceremonial ond other matters and a visitation instituted. In 1543 they declared their independence of him by demanding that "the powers of the Synod be prescribed, that only clergy be admitted thereto, and that if the Duke send delegates to the Synod the conclusions shall be handed them at the end of the sitting with the request that they be enforced." The idea behind this was evidently that of the Canon Law of earlier times, according to which the civil authority as advocatus ecclesiae was required to execute the decrees of the church without examining or formally approving them. The same attempt to retain the former practice appears in the request of 1556 that preachers and servants of the church be tried in clerical courts for both ecclesiastical and civil offences. The clergy were not able, however, to maintain their independence. By 1563 they were complaining of the prince's unwarranted interference with spiritual matters and shortly after the end of the century their power passed into the hands of the consistory and its master, the civil ruler.[22]

The failure of this and other attempts to con-

[22] Balthasar, *Sammlung einiger Urkunden zur Pommerschen Kirchenhistorie* as quoted by Richter, *Geschichte,* 123 ff. Sehling, *Kirchenordnungen,* iv, 317 f.

tinue or restore the hierarchical system of Roman Catholic times is to be accredited partly to the impossibility of the clergy competing with the civil ruler, but largely also to the fact that their claims to authority had no legal basis either ecclesiastical or political and were moreover in direct contradiction to the principles of Protestantism.

As the Lutheran church, both at home and abroad, has occasionally suffered from such high-churchism it is worth while to quote what Professor Richter says of this incident.[23] "It is a universal fact that government by the clergy, whenever and wherever it has developed, has been able to persist for only a short time and in the face of great and serious objections. This phenomenon is not to be explained, as some even outside the church have attempted, by the lack of faith of the time, but its real reason is that government by the clergy is itself in contradiction with the principles of the church. In the Roman church it is an article of faith that the power has been divinely conferred upon a certain class, and hence the government will remain as long as there are believers. In the evangelical church, on the contrary, faith has nothing to do with clerical government, and hence opposition has always broken out against such claims by the clergy. . . . So it was in Pomerania, where

[23] *Geschichte*, 127 f.

there appeared earlier than anywhere else in Lutheran circles, as far as I know, an opposition based upon the rights of the church, and directed against the clergy in the first instance, but also against the prince. In 1573 Pastor Cruse of Stralsund published a number of theses in which he declared the Pomeranian church's organization and form of government to be unchristian, papistical and devilish. He denied that the office of the general superintendent existed as of divine right. Indeed, he went so far as to say that tenancy of the office or obedience to it was incompatible with salvation. The right to call pastors belonged to all the churches, the right to ordain belonged to the civil ruler. The establishment of consistories robbed the churches of their freedom and the civil government of its authority over pastors and matrimonial matters. Finally he regarded it as idolatrous to say that it was well pleasing to God to have uniform usages in the churches. No authority has any right to speak in such matters, and the prince may not do more than any other common Christian. Indeed, as the Son of God is the sole ruler, Christian princes have no right to give orders to their subjects in ecclesiastical affairs. In the end he appeals to the nobles by whom he expected an alteration would be effected. These sentences, in which are to be found so many things which are usually ascribed to a much later time, gave the synod occasion for

earnest deliberation and anxiety, and were finally solemnly condemned in 1583. It was characteristic that the clergy in doing so did not appeal to their own divine right but characterized the false teaching of the accused pastor concerning consistories, visitation and ceremonies as an injury to the office and authority of the Christian prince and the Christian ruler."

That the clergy should rest content with their subordinated position was not to be expected. And especially in the period of strife between Lutheranism and Calvinism, and among the several factions of the Lutheran church, there was frequent criticism of what was called the unjustifiable interference of the prince in matters of doctrine. His right to govern the church in externis was freely recognized but over against it was erected the claim of the clergy to jurisdiction in matters pertaining to the inner life of the church. The memorial of the clergy of Helmstadt in the following century may serve as an example of this. This raises the question[24] "whether the civil ruler has power, by virtue of his position as ecclesiastical or political magistrate, to prescribe of himself to ministers of the Word of God, in general or particular, how they shall conduct themselves or declare their opinions in the pulpit in regard to the content or form of debated points of theology, or how they shall

[24] Richter, *Geschichte*, 197.

punish sinners." To this the memorial gave a negative answer on the ground that the position of the minister is of equally divine authority with that of the prince. "As you are commanded to bear the sword and exercise political government in the place of God, so also the ministers of God's Word are in the place of Christ, and in his place preach, teach, punish, comfort and rebuke." For this reason the civil ruler ought to submit to the minister of the Word just as does any other common Christian, and exercise his authority over the church, not in his own person but through superintendents and consistories, as was done in the Calvinistic churches and was required by the terms of the treaty of peace. Such remonstrances serve to illuminate the conditions in which the clergy lived, but they failed to have any effect upon the prevailing system.

The only other potential rivals of the princes were the nobles who, as might be expected, contended for a share of the powers inherited by the civil authority from the Roman church. Organized as local diets they were better prepared to withstand the absolutistic claims of the prince, both because custom allowed them a voice in the government and particularly because their consent was necessary to the imposition of taxes. Accordingly, it is not surprising to learn that during the sixteenth century their influence in church affairs was considerable, though of course

not everywhere equally great. They ordered visitations of the churches, demanded the establishment of consistories, criticized the ecclesiastical regulations of the prince and the consistories, were consulted in regard to new ordinances, and had a voice in the election of bishops. Pastor Cruse's appeal to them indicates that in his estimation they would be found willing to uphold the genuine Protestantism of Luther against both prince and clergy, and indeed their action elsewhere might justify him in so thinking, for in Anhalt, Württemberg, Prussia and elsewhere they successfully resisted innovations savoring of Calvinism.[25]

The struggle in Prussia particularly is worthy of more than passing remark because out of it came the conciliatory ecclesiastical policy of the Hohenzollerns, which was destined to play a large part in German lands after Saxony had been succeeded by her northern neighbor as the champion of Protestantism. Prussia had been

[25] Sehling, *Geschichte,* 20, and literature cited there. Also the article *Verbesserungspuncte, die hessische,* in RE, xx, 493. The following incident reveals the part played by prince and nobles respectively in Pomerania. When the diet met in 1534 to consider the introduction of Protestantism, the nobles demanded that the property of the church should be used for the support of indigent and aged nobles. The prince insisted that it should be used for the establishment of schools. The nobles failing to gain their point withdrew from the diet. Sehling, *Kirchenordnungen,* iv, 35.

converted to Protestantism by the efforts of Albrecht of Hohenzollern, grand-master of the Order of Teutonic Knights. This chivalrous order, composed entirely of nobles of German birth, after serving its purpose as guardian of pilgrims to the Holy Land in the time of the Crusades, transferred its activity to the northeastern boundaries of Germany which had remained as yet outside the bounds of Christendom. The work of conversion or rather of subjugation was successfully carried out, German settlers introduced to mix with the older inhabitants and a flourishing state called into being. In the beginning of the sixteenth century, however, the glory of the Order had departed, its rules were no longer enforced, and it had to acknowledge the sovereignty of the King of Poland. Success had paved the way to wealth, and wealth to degeneration. So notorious was its condition that the pope ordered the grand master to cleanse it and bring it to a proper regard for its laws.

It was while he was pondering the perplexities of his problem that the grand master first met Luther whose name and fame were being carried over all Germany. To his request for advice Luther replied that he should give up Roman Catholicism, transform the lands of the Order into a duchy, proclaim himself duke and marry a wife. The grand master is said only to have smiled at the time, but a little later he adopted the advice

to the letter. Most of the other knights followed his example, at least in the matter of taking lands and wives, and so became the ancestors of the Prussian nobility of later times, to whom they committed the traditions of the military order from which they sprang.

Told in this bald fashion it might appear that religion had little to do with the Protestantizing of Prussia, but such is not the case. There is no reason to doubt the seriousness of Albrecht's conversion to the Lutheran faith. His actions show that he was concerned to have all his subjects enlightened in regard to it. His first church ordinance of 1525 recognized the right of the congregations to exercise discipline and share in calling their pastors. He ordered church visitations and took part in them himself. He cooperated with the local bishops, who had accepted Protestantism and surrendered their civil powers into his hands. In 1530 he announced in the preface to a new church ordinance that he was forced by the neglected condition of the churches to assume "a new office namely, the episcopal." He provided preachers to instruct the people in the "pure Gospel," and used other means only as supplementary. He established secular and religious schools throughout his territories and crowned the educational system with the University of Königsberg which bears his name (Albertina) to this day. In the year 1587 the two

episcopates which had persisted until then gave way to consistories, and so the last step was taken in bringing the duchy into line with the other genuinely Lutheran lands. In this way Prussia was won for Lutheranism as it never had been won for the Roman Catholic church, and it has repaid the debt by always remaining true to the great Reformer.

The sister state of Brandenburg had adopted the principles of the Lutheran Reformation only after considerable hesitation and even then had retained many of the ecclesiastical earmarks of the Roman church. As the bitter antagonism toward Calvinism which characterized the Lutheran church of the sixteenth century developed, however, it became thoroughly imbued with the principles of the new church, being hardly behind Saxony in its condemnation of the sister Protestant church and of Lutheran heresies. Osiandrianism and Philipism were suppressed, the importation of Calvinistic books was forbidden, a body of doctrine (Corpus doctrinae Brandenburgicum, 1572) published which gave special prominence to Luther's statement that Zwingli and all his teachings were unchristian, and the heirs to the throne were pledged to make no innovations in the matter of dogma. The zeal behind all these measures may be judged by the prayer of the Chancellor Distelmeyer: "Fill us, O God, with the hatred of Calvinism."

While matters were going on in this way two things of prime importance occurred early in the seventeenth century. By a failure of the Prussian line, Brandenburg and Prussia were united under one prince—and this prince attempted to impose upon his subjects the Calvinistic faith. John Sigismund when a child had been trained in the strictest Lutheranism, and pledged by his grandfather to maintain it as then established in the schools and churches of Brandenburg. Under the more liberal direction of his father his education was continued in Strassburg and Heidelberg where he had an opportunity of becoming acquainted with the Calvinistic church and observing its effects in the upper Rhine country. He was there convinced that Lutheranism was only a halting place between Roman Catholicism and true Christianity, and that in Calvinism were to be found both correct doctrine and a cultural power lacking in the religion and church of his home. Accordingly soon after his accession to the throne he allowed his preference to be known, at first quietly and almost secretly, and then with more boldness. He found, however, little support among his people, for the clergy, nobility and even the members of his own family, at least his own wife and daughters, were resolved to be true to their own church and to prevent if possible his defection from it. This did not prevent him from taking steps toward making Calvinism

the faith of his subjects. Acting within what was generally regarded as his legal right and duty, the jus reformandi religionem, he invited Calvinistic divines from the Palatinate, and appointed a church council to which was committed the oversight of preaching, teaching and the training and licensing of preachers. At the same time he declared almost in the words of Luther that the conscience could not be forced and that he had no intention of coercing his subjects until they had had an opportunity of acquainting themselves with what he called "Lutheranism purged of Papacy." To assist them to a better knowledge he himself prepared a confession of faith dealing with the controverted points of doctrine.

The first to oppose this program were Lutheran ministers who in the pulpit and press loudly denounced Calvinism in general and the new regulations in particular. The Elector answered by taking steps to have the chief offenders arrested, and they escaped this humiliation only by the assistance of the Electress Anna. True to his expressed wish that the differences be debated freely the Elector also invited the Lutheran clergy to meet the Calvinistic divines. This the former endeavored in every way to avoid, and when brought to the debating hall almost by force, excused themselves from speaking on the ground that the subject matter was not suitable

for discussion in the vernacular, and that as the Elector had imported Calvinistic divines he should also allow foreign Lutheran scholars to be summoned. From which it is evident that the clergy did not feel equal to the task of opposing the prince.

With the nobility, however, it was otherwise. Using the same weapon that has been found effective elsewhere in subjugating recalcitrant rulers they refused to vote supplies until the old order was established. In Prussia they added the accusation that any alteration in the faith of the country was a violation of the fundamental law of the duchy. In the end the Elector was forced to yield, contenting himself with the declaration that he would neither interfere with the religious beliefs of his subjects nor allow them to interfere with his. The cathedral church of Berlin remained Calvinistic and a few other churches of the same faith appeared in the neighborhood of the court, but the country generally remained solidly Lutheran. As for the Electress Anna, she died protesting her hatred of Calvinism, but a minister of the detested faith pronounced the funeral oration and utilized the occasion to prove that Calvinism is the only true form of Christianity.

In this way a form of toleration was introduced into, or rather forced upon Brandenburg and Prussia early in the seventeenth century. In

this way too the Hohenzollerns were directed to an ecclesiastical policy of conciliation of the two great branches of Protestantism, which brought them into contact with the reformed states in the valley of the Rhine and beyond, as well as the Lutheran states lying at their doors, and so prepared the way for Prussia to become the continental champion of Protestantism. Nor should we neglect another result, namely, that by John Sigismund's conversion to Calvinism the Lutheran churches of Brandenburg and Prussia were forced to accept as their supreme ruler a prince of another faith. The Lutheran theory of the prince's right to rule in virtue of his being an eminent member of the church therefore fell to the ground.

It would be wrong to conclude from this and similar conflicts in which the prince failed to gain his ends that the nobility were capable in themselves of offering an effective opposition. John Sigismund was not restrained by them but by the power of Luther's name. They merely gave expression to the universal will against which the prince in spite of his position and power was unable to make headway. As spokesman for the people's rights they were able to gain their ends, but not when acting for themselves. They had no adequate grounds upon which to base their own claims nor the material means wherewith to support them. Hence they too, like the clergy,

disappeared as a factor in the government of the church by the end of the sixteenth century; and the Thirty Years War deprived them of any remnants of power, political or ecclesiastical.

The elimination of the clergy and lesser nobles on the one hand and the harsh repression of the masses of the people on the other left the territorial ruler without a rival at the head of the church. As Sehling truly says,[26] "The territorial prince was absolute ruler. He issued the ordinances for the church as his own regulations, ordinances that affected every branch of the church life, organization, liturgics and doctrine. He named the church officials down to the pastors. He appointed the officials and held them to their work. Visitations were made in his name, their results reported to him and the corresponding necessary orders imparted by him and enforced by his own commission, the next board of visitors or the lower officials. All complaints were laid before him and decided by him. In places where he had appointed consistorial courts appeals were sometimes made to them, and sometimes over their heads directly to him, even in questions relating to marriage. The whole finance system of the church was conducted in the same way. All petitions for improvement came to him either through the boards of visitation, or, more rarely and regularly, through the

[26] *Geschichte*, 20.

superintendents, and were decided by him. He too had to supply the requisite moneys. The disciplinary power over the preachers lay also with him. In a word, the whole legal life of the church was in his hands."

Even in matters of doctrine and church discipline, which were frequently associated in the period of controversy after Luther's death, the prince freely interfered. He was the guardian of true doctrine, and this could not be protected except by physical means. But as he had little or no knowledge of theology himself, his intervention was often hasty, ill judged or subject to a later change of opinion. An excellent illustration is afforded by the action of the Duke in Ernestine Saxony, who under the influence of Flacius issued as authoritative for the churches of his territory a condemnation of nine new heresies, 1556. A little later, falling under the influence of those imprisoned for heresy, he allied himself with them and when Flacius and his associates complained, as they did quite forcibly and inconsistently, of his usurping the place of Christ in the church, banished them, forty altogether, from the country. To add to the confusion a change of rulers a few years later restored the strict Lutheranism of Flacius to the authoritative place and most of the exiles to their former positions. In the confusion necessarily attendant upon such measures and counter measures, when a man

might be orthodox today and a heretic tomorrow, it is no wonder that the defender of true doctrine should find it necessary to instruct his superintendent that no one was to be excommunicated without his consent.[27] Luther had protested vigorously a few years before (1543) when Maurice of Saxony had interfered with church discipline,[28] complaining that whereas before the Reformation "the devil had injected the church into politics now he was injecting the state into the church." But within twenty years the Duke of Weimar calmly reserved for himself every case of excommunication, and a few years later no one apparently doubted the prince's right to govern in this as in every other department of the church. Indeed one of the amazing things about this revolution is the speed with which it was accomplished. And yet after all there is no reason for surprise. Had Luther's own ideas and ideals been consummated within the same space of time it might well be called amazing, but what was really accomplished was merely the transference of ecclesiastical authority from one man to another. The German prince had become summus episcopus or pope in his own territory, as was recognized as soon as the people had an opportunity to comtemplate what had been done.

[27] Sehling, *Geschichte*, 22.
[28] Letter to Gresser, Oct. 22, 1543, *DeWette*, v. 596.

CHAPTER V

Theories and Practice

In all essentials, the legal position of the Lutheran churches and of the Calvinistic churches in Lutheran countries has remained the same throughout the centuries, as at the end of the sixteenth century. But although the actual condition has not changed, the theories respecting it have altered from time to time, yielding to modifications of thought in respect to religion and politics. The first is the Episcopal Theory.

The earliest writers to treat the matter systematically endeavored to justify the existing dominion of the prince out of divine and human law, and at the same time to safeguard the freedom of the church. The threefold division of the church into status ecclesiasticus or the clergy, status politicus or the civil authority, and status oeconomicus or the rank and file of the laity, a division that antedates the Reformation and had been appropriated by Luther, was retained and formed the basis upon which the legal structure was erected. Each estate was apportioned its own particular share in the church life with the result that to the civil ruler fell the duty

and right of governing, to the clergy the duty and right of preaching, administering the sacraments and advising, and to the people the duty and right of approving and acquiescing in the actions of their superiors. The centre of gravity in such a system lay of course in the civil ruler whose position received the most attention and to whom the others were related.

It was assumed in the first place that the ruler is a pious Christian, that is to say, in the words of Luther, that he is a "conspicuous member" of the church. This, however, was not now regarded as a justification of his interfering in ecclesiastical affairs in itself. "To the magistrate," says the theologian Gerhard,[1] "has been committed by God the custody of the divine law, to which belongs not only the second table of the Decalogue regarding duties to one's neighbor, but also the first table regarding the worship of God and the public exercise of the same." Similarly, Reinginck[2] the jurist declares that the magistrate possesses his ecclesiastical rights and powers "not by virtue of any papal ordinance, but by virtue of the royal power conferred by God."

In other words it is the divinely appointed duty of princes to care for the spiritual and eternal welfare of their subjects as well as for their ma-

[1] *Loci communes theologici,* 1610-1622, *Locus* XXV, quoted by Rieker, 210.

[2] *Tractatus de regimine seculari et ecclesiastico,* 1619; Rieker, 213.

terial interests. Once this principle was clearly established it was impossible to avoid the conclusion that both the jus circa sacra and the jus in sacra were vested in the civil ruler, and that the whole religious and ecclesiastical life of the people lay in his hands. To strengthen this contention the early apologists advanced as a second argument the terms of treaties of Passau (1543) and Augsburg (1555). By these, it was said, the rights formerly held and exercised by the pope and the Roman Catholic bishops had devolved upon the civil rulers of the German Protestant states, and therefore whatever had been competent for the pope in former times was competent for German princes today.

This argument, however, was not felt to be essential, or to add anything to that of divine right, for no sooner was it stated than the writers hasten to explain that the pope and bishops had usurped the power they had exercised, and therefore its assumption by the princes should be regarded as a restitution rather than a devolution. In either case however, whether the power came immediately from God or mediately from the Roman hierarchy, this process of argumentation showed the princes to be bishops and even popes in their own territories. Indeed, one writer[3]

[3] Samuel Stryck, *De jure papali principum evangelicorum; De principe quolibet papa in suo territoris,* 1690, Rieker, 222 f.

pointed out that the comparison does injustice to the dignity of the German princes (infra dignitatem nostrorum principum). The bishops were subject to the pope and the pope himself generally restricted by the college of cardinals, but the German Protestant prince is superior to all control, and acts freely out of the fulness of his supreme power (ex summae potestatis ecclesiasticae plenitudine).

However logical and conclusive such reasoning might appear to be it labored under the defect of proving too much. It was obvious to all that the prince, in not taking part personally in matters affecting the inner life of the church such as preaching and the administration of the sacraments, was not a bishop in fact, according to the established sense of the word, no matter what he might be in theory. Moreover, there was still such force in the traditions of the independence of the church, that is to say, of the clergy, and of the rights of all Christians according to the Protestant scheme, that some account had to be taken of them. Accordingly we find these writers taking away with one hand what they had bestowed with the other, or endeavoring to limit the prince's exercise of power if not the power itself. Chemnitz[4] says that the pious and Christian magistrate may not call and instal ministers "without the will and consent of the clergy and the rest of the

[4] *Loci theologici*, Rieker, 209.

church," and Reinginck reminds the prince that he is "not the whole church but only a member of it, not its lord but its nurse." More particularly, it is affirmed with respect to the office of preaching, administering the sacraments and absolving sinners that "the civil magistrate ought not to perform these duties himself, nor indeed does he in our churches," but he shall see that they are "properly performed by superintendents and ministers of the church according to the order divinely instituted for the evangelical pattern," the superintendents and ministers of course to be appointed by himself. Moreover, in exercising ecclesiastical jurisdiction the prince should act through the consistorial courts which although created by him are nevertheless regarded as church courts, one writer[5] even going so far as to say that the powers conferred upon them cannot be recalled.

With regard to this Episcopal Theory not much need be said. It was the first attempt of the Lutheran church legally to justify its position as over against the Roman Catholic church. In this it must be admitted to have been successful for it simply applied the Roman Canon Law to the Lutheran church except that in the place of pope and bishops it set the territorial ruler. Apart from this, however, it accomplished nothing. "It had little or no influence upon the actual

[5] M. Stephani as quoted by Rieker, 217.

conditions or the prevailing system."[6] It is interesting, however, because of the change it shows in the conception of the civil ruler as compared with the views of Luther. The prince is no longer merely a conspicuous member of the church using his office in case of need and extraordinarily to purge and reform it. He has ceased to be "emergency bishop" and has become a real bishop in the canonical sense of the word, with no less and perhaps even more power than had been possessed by the Roman bishops, for there were absolutely no legal limits to his jurisdiction.

It is important too, in view of what is to follow, to note that the bond uniting the prince and the church is still regarded as a religious one. It is as bishop that he rules and not as civil ruler. There was no doubt confusion here but some of the writers[7] of the time thought their way through to the conception of a double personality of the ruler as prince and bishop. And finally it is worthy of remark that the whole structure of the church is conceived exactly as in Roman times from above down. All authority is vested in the prince bishop, a little influence and some rights are reserved for the clergy, but the mass of people, whom Luther had called to be priests, bishops and popes, are hardly brought into view. They are merely objects of the church's activity.

[6] Sehling, *Geschichte*, 34.
[7] M. Stephani and Carpzov, Rieker, 217 f.

During the latter half of the seventeenth century two attacks were made upon the existing system, one being religious and taking its departure from Luther's doctrine of the universal priesthood, the other being political and allied with doctrine of the rights of man. Spener, the father of Pietism, was the champion of the first. Filled with alarm at what he considered the moribund condition of Christianity in the Lutheran churches, and encouraged thereto by the healthier condition of the Calvinistic churches in Switzerland and France, Spener advocated strongly the introduction of a system of church government which would recognize the rights of the individual Christian and place the control of the church, to a great extent at least, in the hands of the congregations.

Writing of the absolute control of their parishes by the clergy in 1691 he said:[8] "If the Christian church is to be organized aright, its constitution must be of such a nature as to allow all three estates to have their own spheres of labor and to cooperate in everything pertaining to the life of the church. This is the condition which is most in keeping with the divine institution, the most compatible with the universal edification of the churches, and the most blessed of God . . . . If, however, it so happens that one estate alone, especially the clergy, usurps the power in the

[8] *Bedenken,* quoted by Richter, 201 f.

churches and claims it as of right belonging to their office, and so will not submit to correction by the other estates, then there exists a condition which is not to be praised nor even tolerated. Indeed, such unwarranted assumption of power by the clergy is genuinely papistical and anti-christian and incompatible with the maintenance of the truth."

With the position occupied by the secular authorities he is equally dissatisfied.[9] "It is undoubtedly true that God has laid upon the civil rulers the duty of enforcing the first as well as the second table of the law, and so of upholding His honor. But one sees very few of them taking any interest in the matter, except that they claim the jus episcopale as their prerogative, increasing their own glory rather than the divine honor. . . . And so the jus episcopale which should be exercised for the benefit of the church has become the very means whereby everything good is hindered . . . . It has become the impediment of everything good, so that when the civil power will not undertake a thing, those of the clergy and laity that would willingly do good, dare not. I have often lauded some churches that live under the authority of a ruler of another faith and suffer hardship in respect to externals, as much happier than those that have the ruler on their side. For, having full control of the placing of

[9] *Bedenken,* quoted by Richter, 201 f.

preachers, of discipline and of church organization, all of which they exercise with splendid modesty and zeal, through the pastors, elders and the regulations of the congregations, in such a manner as to edify all and without detriment to the ruler, they accomplish much more than those churches which dare not do anything without the ruler, and whose ruler is often opposed to what is good. For this reason I regard such caesaropapacy and secular anti-christianity as a greater evil than that which destroys the externals of the church."

Spener's interests like Luther's were altogether religious. He too did not regard organization or government as of the esse of the church, nor has he left any systematic statement or plan for its reconstruction. But from these passages and other similar ones it is possible to affirm without hesitation that he wished to see the authority, at least in congregational matters, taken from the princes and put in the hands of the clergy and laity. Each congregation should elect its own elders, who with the pastor or pastors should have the management of all matters pertaining to the congregational life, including of course the discipline, which he admired so much in the Calvinistic churches, and wished to see introduced into his own. It is interesting, however, that he too, like Luther, doubted the possibility of finding suitable individuals for the eldership in the

German churches,[10] and that he would not exclude the civil ruler from participation in the church courts. Unlike Luther he regarded the clerical office as of divine appointment, just as he did the priesthood of all believers.

The great service of Pietism in respect to the constitution of the church was that it stirred up the people to a recognition of their Christian responsibilities and thus prepared the way for their assuming the burdens of the church at a later date. On the existing legal condition of the time it made no impression whatever. One reason for this was that Pietism besides advocating a greater liberty for the individual Christian was entangled in the dogmatic and political quarrels of the day, and hence this minor point, not receiving separate consideration, was condemned as part of an unorthodox and fanatical program. Indeed the day was long past when participation of the laity in the ecclesiastical government could be pointed to as a genuinely Lutheran idea. It was regarded as one of the earmarks of Calvinism, and so when it made its appearance together with the collegia pietatis, which were confessedly modelled on Calvinistic gatherings, and a spirit of toleration quite foreign to orthodox Lutheranism, the leaders of the church took alarm at once and condemned them all together, calling upon the civil magistrate, as the guardian of right doctrine, to intervene, with

[10] RE, xxiii, 505.

the result that what promised to be the greatest religious awakening in Germany since the days of Luther was driven in some places to separatism and fanaticism, and many of its adherents forced to leave the home land.

The other attack came in the train of the political and social philosophy of the "Law of Nature," and was intimately associated with the naturalistic and humanistic doctrines and practices known as the Enlightenment. According to Natural Law organized society is the result of a contract between ruler and subjects, the purpose of which is that men may live happily and peacefully together. It is therefore the sole duty of the ruler to see that peace and tranquillity are maintained. He is not ordained of God, nor is it his duty to care for the spiritual and eternal welfare of his subjects. His direction of religion, or rather of religions, is to be governed by political utility.[11] With this went a change in the conception of the scope of government. Instead of a complex of rights, duties, prerogatives and privileges it was now regarded as one and absolute, with no human control or definition save the common good of the state.[12] In this way the

[11] Thomasius, *Institutio iurisprudentiae*, iii, 6, § 150, quoted by Rieker, 237, *"religiones debent dirigi secundum utilitatem singularum rerumpublicarum."*

[12] *"Potestas summa, id est in sui exercitio a nullo homine tanquam superiore dependens, sed ex proprio iudicio sese exserens, sic ut eiusdem actus a nemine tanquam superiore*

whole orthodox conception of the state as a divine institution whose object was to maintain the two tables of the law was undermined, and although its advocates left a place for the church and revealed religion the defenders of the faith felt that their citadel was attacked and used every means to repel the enemy.

The theory of the church suffered no less violently. Instead of being a divine institution, of which of course only one was possible, it was now represented as a society or association of individuals adhering to a common confession. With such a definition of course many churches were possible, all of which had an equal right to exist under the Law of Nature, and should be permitted by the state as far as compatible with the general peace. With this theory went a practical tendency to recognize some truth in every church and to deny infallibility and perfection to any of them, and from this again a tendency to accept as true only those elements common to all the churches, from which it was but a step to natural religion. Leibnitz's abortive plan for the union of Catholics and Protestants sprang from this school of thought.

As for the structure of the church, or as we

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queant irriti reddi." Thomasius, as quoted by Rieker, 240. Similarly Pufendorf, *Die iure naturae et gentium*, vii, 3, § 1: "*Summum imperium quod in omni civitate existit et quo velut anima illa vivit ac libratur.*"

should say, the churches, the same principles were applied as had been used to explain civil society and government. In the words of Pfaff,[13] by whom the Collegiate Theory, as it is called, was most clearly defined, a church is "a free association of those that gather together for the common worship of God according to the command of Christ." Being a free association there can be no external authority over it, and no one can be forced to join against his will. There are not three estates in the church as formerly maintained, the political, the clerical and the economical, but only two, namely, the clergy and the laity, neither of which has authority over the other. A church like all other human societies has the right to call and dismiss its officers or ministers, to agree upon a constitution or creed, to make and enforce the laws of the society, and expel members that will not obey them.

The laity too, according to this theory, have a share in all the activities of the church. They are a royal priesthood and may exercise all the functions of the priesthood. They have the right to search the Scriptures and test all doctrine by them, to share in the choice of pastors and elders, to sit in all church meetings and vote on all questions even those concerning doctrine, to act with pastor and elders in removing abuses, reforming errors, expelling unworthy members; they have

[13] *Akademische Reden,* 38; quoted by Rieker, 266.

even the right of withdrawing from the church and forming a new congregation when doctrinal error or spiritual tyranny makes it impossible for them to remain with a clean conscience. As for the pastors, they combine in themselves the offices of teachers and elders, and have the right and duty to teach, administer the sacraments, edify the congregation by word and example, care for the soul of each individual member, catechize the youth, comfort the sick and dying, punish sin and exclude the unrepentent from the church. As every church has exactly the same rights as any other church it follows that none may rule over another. And as there is no common authority over them all to dictate terms of peace and agreement, all should behave courteously and considerately toward the others, not attempting to exercise a power which they do not possess.

It might naturally be supposed that such a theory as this is would conclude with a practical, if not entire, separation of church and state. But such was not the case. As the advocates of the Episcopal Theory no sooner clothed the prince with absolute powers than they began to divest him of them, so the advocates of the Collegiate Theory had no sooner proved the right of the churches to govern themselves than they deprived them of nearly all they had bestowed. One reason for this was that, according to the new theory, the state, being all powerful, could brook no rival

or potential rival. As Thomasius[14] says, "If we admit that there is such a thing as ecclesiastical government we deprive the prince of his best prerogative, namely the ius circa sacra, hence it is best to say that there is no such thing as ecclesiastical government." Another reason was that the advocates of the rights of man in Germany, unlike its representatives elsewhere, taught, with respect to both the state and the church, that the power originally lodged with the individual members of the society may pass irrevocably out of their hands by the tacit or expressed contract with a prince. This had taken place, they said, in the Protestant churches of Germany. In the time of the Reformation they had called upon their rulers to reform them, to appoint orthodox teachers and regulate ecclesiastical affairs. The princes therefore by this pact have become the governors of the church and remain such until by the introduction of heresy or other breach of the terms of contract they forfeit their rights, which then return to the churches.[15]

How far the prince's government was supposed to extend may be seen from a list given by Böhmer.[16] He had the right of issuing ecclesiastical ordinances, of reforming dogma, of regulat-

[14] *Der Kirchenrechtsgelahrtheit erster Teil,* 9; Rieker, *253.*

[15] Pfaff, *Origines iuris ecclesiasticae,* 335 ff. Mosheim, *Allgemeines Kirchenrecht,* 214.

[16] As quoted by Sehling, *Geschichte,* 26.

ing the rites, correcting the manner of preaching, overseeing discipline, deciding theological disputes, and of convoking and directing synods; in short, just what he was supposed to have by the Episcopal Theory, and just what he had. In addition to this, according to the new theory, he had the same power over the churches as over other societies, such as the right to prohibit and suppress them if they were injurious to the state, to limit the number of their members and of meetings, to send commissioners to ascertain what was being said and done, to inquire into the character and general fitness of the officers of the society, to see that the laws of the society were obeyed and to eject any that were not submissive, to reform them when they deteriorate and to hold them to the performance of their duties.[17] In short, what we have here is simply a picture of what the Germans expressively and appropriately call a police state ("Polizei-staat"). And when it is added that the civil ruler alone had the right to decide how, when and where he should interfere, to set bounds to his own jurisdiction, it is evident that the Collegiate Theory in the form in which it was advocated gave little or no freedom to the church.

This form of the Collegiate Theory has quite properly been regarded as so far differing from the other as to require a name of its own, viz., the

[17] Pfaff, *Akademische Reden,* 90 ff. Rieker, 269.

Territorial Theory. In the Territorial Theory, it must be noted, the relation of the prince to the church had been radically altered. He was no longer regarded as a bishop, or as charged with the duty of promoting religion and of using his magisterial office in the service of the church. On the contrary the welfare of the state, more particularly the peace of the state, was to be his first and highest duty, and the churches were to be controlled in such fashion as not to disturb or injure it. The work of propagating religion was entirely in the hands of the religious societies. Hence the spectacle of a prince of one faith ruling over and controlling a church of another ceases to be either improper or anomalous.

If we ask what was the immediate effect of Pietism and the Law of Nature on the organization of the church and its form of government we must answer that they had none. The whole system was so interwoven with naturalistic theories, pietistic practices and toleration of other denominations that it called forth the liveliest opposition from the orthodox Lutheran ministers. The theologian Johann Benedict Carpzov[18] in particular rewrote the apology for the Episcopal Theory with special reference to the new theory of the rights of the individual Christians, defending the supreme authority of the prince in ec-

[18] *De iure decidendi controversias theologicas,* 1696. Richter, 206.

clesiastical matters as of divine right as well as based on human law, ascribing to the clergy considerable power in matters pertaining to the inner life of the church, but limiting the laity to the right of examining and approving. His scorn of the plan to allow the people a voice in church matters is shown in a satirical apostrophe to Jacob Boehme, and a picture of a synod in which cobblers and other artisans meet together with spinsters and cooks to determine the theological disputes of the day.

Another reason for the failure of the Collegiate Theory to make any immediate impression upon the existing condition was that it was in direct conflict with the political absolutism of the time, fortified now by the recent introduction of Roman Law and the new defence of classical imperialism by the advocates of the natural rights of man. The Territorial Theory was quite in accord with all this but the Collegiate Theory was not. At the same time there was nothing in the Collegiate Theory, as expounded by the earliest writers, which was at variance with the actual practice, and it persisted as an historical explanation of the origin of the church. There was no indication that the individual congregations or collegia would demand the restoration of their original rights from the princes. For except in Pietistic circles, the Collegiate Theory and the allied doctrine of the rights of men existed only

in the heads of theorists and roused an interest only in academic circles. In France it had been called forth, a hundred years before, by the massacre of St. Bartholomew and the necessity of legally defending the Huguenot wars. It bore fruit in the political struggle which culminated in the revocation of the Edict of Nantes, and later in a purely naturalistic form in the French Revolution. But in Germany there was neither the spur of necessity nor the driving power of Calvinism to translate it into deeds. It remained simply a theoretical and academic explanation of the origin and constitution of social groups. As such, however, it had considerable influence in preparing the way for the more liberal and democratic ideas of the latter part of the eighteenth and the nineteenth century. The standard textbooks all agreed in representing the church as a society of likeminded Christians banded together of their own free will, little more than which could be expected in this period of severe centralization of all power in the hands of the civil ruler.[19] "Town and village communities, districts and provinces ceased to have any common life of their own or to possess any rights of their own. They were merely objects of the state's activities, geographical districts for the state's administration. Between them and the sovereign state there was

[19] Preusz, *Gemeinde, Staat, Reich, als Gebietskörperschaften*, 1889, 126.

no legal relationship, for they were not regarded as entities with a communal existence, or as having any will of their own." The church or the churches too fell under the suspicion of the state authorities, which, like the Roman Empire before them, regarded all societies or collegia as potential seed plots of treason, and sought by bureaucratic and pedantic methods to limit and control their activities or even to force them into the service of the state.

During the period of these debates the whims and individual peculiarities of the princes found expression in their regulation of church affairs quite as freely as during the period immediately following the Reformation, the only difference being that there was now greater variety in their religious views, and that their ecclesiastical policy was more evidently influenced by political expediency. To illustrate this it will be sufficient to cite some examples from Prussia, choosing this state rather than others, both because after the defection of Augustus the Strong to the Roman Catholic church on his assumption of the crown of Poland (1697) Prussia stepped into the place formerly occupied by Saxony as the leading German Protestant state, and because the rapid expansion of Prussia brought about new conditions, such as the incorporation of Roman Catholic provinces in the kingdom, necessitating a new ecclesiastical policy, and gave to the Prus-

sian law and custom an ever growing prestige among the other states.

As we have seen before, the conversion of Johann Sigismund to the Calvinistic faith and his failure to win or force his subjects to it led to the legal recognition of both branches of Protestantism in Brandenburg and Prussia, and the adoption of a policy of conciliation by the house of Hohenzollern. By giving equal recognition to the Calvinists with the Lutheran and Roman Catholics the Peace of Westphalia (1648) had removed any imperial legal restriction that might have been urged against the toleration of Calvinists, and by ordering that converted princes might not force their subjects to change their faith also, it actually enjoined a degree of toleration in some states. At the same time it confirmed to the individual states the right of reforming religion and so left the prince supreme over whatever church or churches existed in his territory. This was one factor making for toleration on the one hand and the subordination of the churches to the state on the other.

To this must be added the influence of Pietism and the humanistic theories of the Enlightenment, which was entirely on the side of toleration, also the imperialistic theories of government, which, coupled with the dazzling example of the court of Louis XIV in France, inspired every petty German state with the ambition to unite

in itself the closely articulated government of imperial Rome with the glories of modern France. Freedom of conscience on the one hand and state absolutism on the other, these two ideas superimposed upon and mingling with denominational intolerance and the episcopal supremacy of the civil ruler gave its peculiar character to the ecclesiastical policy of the eighteenth century, while the necessity of maintaining the army and of repopulating ravaged lands and otherwise making good the damage of the Thirty Years War entered as a material factor in the decision of particular cases.

The Great Elector (1640-1688), an ardent Calvinist, was at once a champion of freedom of conscience and an ecclesiastical despot. When the Edict of Nantes was revoked (1685) and the Calvinists of France were forced in thousands to seek refuge in other lands, his commissioners met them at the boundary and transported them to homes where they were guaranteed the free exercise of their religion and special privileges of other kinds. To the Catholics also he allowed the liberty of worship and considerable freedom in respect to the laws of their church. But he also thought himself justified in forbidding his subjects to attend the strongly Lutheran University of Wittenberg, in interfering in internal affairs of the churches, regulating such matters as the use of Latin hymns, crosses, vestments and the liturgy

generally, in appointing days of prayer and fasting for all his subjects irrespective of creed and even prescribing the text for the sermon, while he informed even the Catholics that they should regard him as their lord and bishop in spiritual matters and not accept commands from foreign rulers.[20]

By his son Frederick (1688-1713), the first of the electors to assume the title of king, definite attempts were made to effect a real union of the two Protestant confessions. Not content with merely removing some more of the "Catholic remnants" from the Lutheran churches, such as the private confessional and exorcism, or with directing the examiners to pay no attention to disputed points of theology "which are of no importance anyway," he thought to take advantage of the friendlier feeling engendered by Pietism and the new humanistic philosophy, in endeavoring to unite the two churches by the exercise of his supreme episcopal authority. Liturgical uniformity was to be enforced, theological harmony to be secured by the retention of a minimum of doctrine, recalcitrant ministers to be silenced, and all the members of both confessions to be exhorted to love one another. Unfortunately for his plans this program which was being prepared in secret

[20] Lehmann, *Preuszen und die katholische Kirche;* Von Mühler, *Geschichte der evangelischen Kirchenverfassung;* quoted by Rieker, 290 ff, 307 ff.

became known to the clergy, and, the storm of criticism it occasioned savoring little of brotherly love, had to be abandoned. Another and more ambitious project had no better success. This was nothing less than the union of the English and the German churches, involving the introduction into Germany of the English liturgy, which it was believed had been useful in uniting all religious parties in England, and of the episcopal system which was more in keeping with the dignity and strength of royalty than the more democratically conceived consistorial courts and superintendencies in which all clergymen were of equal rank. Two bishops, one from either confession, were appointed by the Elector and afterward consecrated by a bishop of the Bohemian Brethren, to assist at the coronation, but the negotiations with England fell through on account of the opposition of the German ministers, and finally the whole scheme was abandoned when Frederick William I, who had no sympathy with it, came to the throne.

This prince too was not averse to union, but his parsimonious and pietistic nature had no sympathy with the pomp of episcopacy. The theological differences between Lutherans and Calvinists were to him also only parsons' quarrels (Pfaffengezänk), but his attempt to unite them on a basis of fifteen articles was a failure. Personally he hated Roman Catholicism but for military and

political reasons he protected Roman Catholics, prohibiting all inveighing and sneering at them, and declaring that anyone could dwell in his lands that wanted to, the more people the better. As there were papists in his pampered regiment of giants in Potsdam he was forced to allow the Catholic mass to be sung at his very door.

These may be taken as examples of princes that regarded it as their duty and right to regulate the religious life of their subjects and actually attempted to do so. Frederick the Great is the best representative of the humanistic and "Enlightened" princes that regarded religion and churches solely from the standpoint of the state. Believing as he did that all churches were founded upon intrigue and deception he lacked the personal, religious and denominational interest that incited other rulers of his house to play the rôle of pastor to their subjects; and having accepted for himself the vague naturalistic and deistical views of his time he could the more easily put into practice the naturalistic views of government that accompanied them. Accordingly we find a greater liberty of belief than ever before accorded not only to the three confessions recognized by the Peace of Westphalia, but also to the members of the Greek church, the Mennonites, the Socinians, the Schwenckfeldians, the Bohemian Brethren and others. Every one could be saved in his own fashion in his kingdom, said

Frederick. "All religions are equally good if only the people that profess them are honest, and if Turks and heathen came and were willing to populate the land we would build them mosques and churches,"[21] he said in another place, indicating both his standard of judgment in religious matters and the expediency of a policy of toleration. "False religious zeal is a tyrant that depopulates provinces; tolerance is a kind mother that cherishes and advances their prosperity"[22] is another statement from his mouth to the same effect, and he did actually contemplate the introduction of Mohammedans to increase the population and provide a reserve for the army.[23] He demanded of his subjects "nothing more than civil obedience and loyalty. So long as they are faithful in respect to these, I regard myself as bound to bestow upon them equal favor, protection and justice, no matter what speculative views they may entertain in matters of religion. Judgment upon such matters I leave to that One who alone has power over the consciences of men, and of whom I cannot form such a shabby opinion as to suppose that He requires human assistance to realize His plans, or that it is pleasing to Him, if one imagines he can be of assistance either by

[21] Quoted by Lehmann, ii, 3 f.

[22] RE, xix, 830.

[23] Zeller, *Friedrich der Grosse als Philosoph*, 155; Rieker, 294.

using force, or cunning or other indirect means."[24]

But if Frederick himself would not force the consciences of his subjects he insisted that no one else should do so. The several churches were required to live at peace with one another and the preachers to avoid disputed points of theology. In other respects also he was not behind his predecessors in interfering in church affairs, the only difference being that whereas their interest had been in part at least religious his was entirely political. He regulated the number of churches according to the financial ability of the members to be served, ordered that no one be permitted to enter a cloister without permission, the object in this case being to prevent depopulation, declared himself independent of Rome in his treatment of Catholics and even forbade the publication of the papal bull, abolishing the Society of Jesus, because he wished to retain the services of its members in the schools.

The spirit of Frederick the Great's ecclesiastical policy may be seen best, however, in the Prussian Land Law, which although not published until after his death was compiled by jurists of his appointment and reflects the ideals and practice of his reign. In this code of laws, which remained in force with minor changes until the year 1900, the naturalistic philosophy of the time is plainly re-

[24] From à letter to the Empress of Austria. Lehmann, ii, 585; Rieker, 311.

flected, with the result that, on the one hand, individuals receive liberty of conscience and of private worship, and congregations are given considerable power in respect to calling and judging pastors, regulating the liturgy and other matters affecting the inner life of the church, but on the other hand, the state reserves the right to inspect, supervise and correct where and when it will. In other words, the Land Law consistently looks down upon religion from the higher viewpoint of the state and ranges all churches as legal associations under its control. How far this control extends may be seen from the following extracts: The private and public religious exercises of every religious association are subject to the oversight of the state. The state is entitled to know what is taught and done in meetings of the associations. Any changes in the order of service must be approved beforehand by the state. Church discipline must touch neither the body, honor nor property of the punished member. If punishment of this kind is necessary it is to be meted out by the state authorities. A member may not in every case be excluded by the church; for instance, refusal to accept the creed is not proper ground for dismissal, and in case of dispute the state must decide. All the officers of the churches are either appointed by or approved by the state, which also holds them to the performance of their duties, an obedient loyalty to the state and comity with

the officers of other churches. New churches may not be built without the consent of the state nor property acquired nor sold. With these and other restrictions the churches are recognized as "privileged corporations," and permitted to pursue their own ends.

The whole mental attitude of the law is that "The corporation exists only for the state and not for itself, for which reason it is subjected to the will of the state as well as its own. . . . Of prime importance is the sentence that stands at the head of the section 'On Church Associations in General': 'Every church association is obligated to inculcate in its members the fear of God, obedience to the laws, loyalty to the state and an amicable disposition toward their fellow citizens.' From this follow logically the further statements that all religious teachings that run contrary to these may not be taught in the state nor published by word of mouth or through the press, and that the state has the right to condemn any such teachings and to prohibit their propagation. The conception of the church underlying these regulations is simply that it is a corporation according to the meaning of the Land Law. That is to say, the churches are independent associations ideally separate from the state. They do not disappear either in the state or under it. But they are not self-determined, they exist not merely for themselves, to accomplish their own ends in the

interests of their members, but they exist also for the state and serve its ends, and this neither through accident or lack of intention nor of their own free will, but because the state has obliged them to do so. But why does the state do this? Because it needs the church to attain its own ends, because the fear of God, obedience to the law, loyalty to the state and an amicable disposition toward their fellow citizens are the indispensable conditions of its own success. The state cannot produce them of itself, but commits them to the churches, which are therefore granted concessions and privileges, but also are constantly watched and controlled. According to the dominant opinion of the eighteenth century the state alone understood and was capable of effecting whatever served the common good. It was therefore its duty to use its own means to bring about this disposition in its subjects; but its means were not sufficient, and for this reason it transferred some of the obligations resting upon it to the churches. These therefore are performing duties of the state, pursuing the objects of the state and serving the interests of the state. It is for this reason that the state claims such wide oversight of the churches and reserves the right to hold them to the performance of their duties. For the same reason it grants them many privileges which private associations lack. In handling the churches in this way as corporations the state stamps them

with its high approval, and confesses that they perform some of the duties and fulfil some of the purposes of the state and are therefore essential to its welfare. That the obverse of this high appreciation appears in the close supervision of the churches is not surprising in the police state of the eighteenth century. This attitude does not spring from a suspicion directed particularly against the churches, but from the general suspicion of all associations."[25]

At the same time it must be pointed out that the publication of the Land Law is one of the mileposts on the road to the freedom of the church. For although the Land Law appears to subject the churches entirely to the state, nevertheless there was no superior right claimed for the state by it which had not already been exercised by the prince. What is new in this respect is that the state in controlling the churches is no longer to be actuated by religious motives but by those of political utility, and in this lay the possibilities of much evil or much good according as the state allowed the churches to go their own way or attempted to make them simply tools for its own purposes.

Generally speaking the Land Law, reflecting as it does the superficial philosophy of the Enlightenment, shows little appreciation of the meaning and power of religion in the life of men and in

[25] Rieker, 299 ff.

society. Religion to it is merely a phenomenon of social life which is to be carefully observed, tolerated within bounds, and permitted to express itself publicly only when and where it is not in conflict with the interests of the state. The state is concerned to see that violence is not done to the conscience in the name of religion and that the public peace and security are not endangered by the rival confessions, but in the positive propagation of religion it should not and would not take part. This was left to the churches themselves.

It was a gain that the churches were looked upon as entities with their own ends, their own will and their own life. To be sure, they were very much restricted in their activity and constantly in danger of entire suppression, but they at least had the protection of law and recourse to the tribunals of justice in case of arbitrary interference by the patron, the prince or any other. It was a gain too that the three great confessions and some lesser ones were formally recognized and put upon a legal basis and that individuals might worship God, at least in the privacy of their homes, in whatever manner they wished without fear of legal interference. It was an approximation to the principles of the Reformation also that so much power was put in the hands of the individual members of the congregations in respect to calling and dismissing pastors and otherwise managing the affairs of the congrega-

tion. In short, the churches and the individual members of the churches under the Land Law had an opportunity to feel their own power and exercise, within limits, their Christian responsibilities. But unfortunately they had been in leading strings so long that they found it impossible to walk alone.

"Inasmuch as the Land Law made the sharp distinction between the rights of the state in the church and the rights of the collegia (congregations) the underlying principle of the law, and not impracticable as the Collegiate Theory had done, it was the first law book since the Reformation to recognize in a large way the ecclesiastical freedom of congregations and individuals. This was new and epoch making. It is not to be overlooked that the limitation of the state's activities to purely secular ends and the consequent refusal of the state to undertake the government of anything beyond this sphere gave new liberty in the development of ecclesiastical institutions and doctrine. However vexatious and petty the political control of the religious associations was, there still remained a great part of the religious life untouched by restraint. There was doubtless more independence ['Ungebundenheit'] in the church than we are accustomed to today. There was more about which no authority troubled itself. This freedom and this independence, however, was enjoyed for the most part only by the

preachers because the machinery of the congregations for the determination and representation of their communal will was very clumsy and incapable of offering resistance to the preacher."[26]

The Land Law reflected the condition of affairs under Frederick the Great. But no sooner was his successor Frederick William II seated on the throne than a new and diametrically contrary policy was initiated to which little or no legal opposition could be offered even by the Land Law.[27] The story of the Religious Edict of 1788 is not one upon which the German church historians like to dwell, but it is important as showing the helplessness of the church in the hands of the king and its legal powerlessness to avoid aggression. The Edict was not the work of the weak king so much as of his favorite minister Wöllner, a man who had been in succession private tutor, pastor, Free Mason and Rosicrucian, and had been curtly condemned by Frederick the Great as a "scheming and deceitful parson." His last passion, which he shared with his fellow Rosicrucian the king, was to restore to the people the religion of their fathers and save them from the perdition of the rationalism then dominant in the pulpits. Accord-

[26] Foerster, *Die Entstehung der Preuszischen Landeskirche unter der Regierung König Friedrich Wilhelms des Dritten*, 1905, 32.

[27] The Religious Edict was published in 1788, the Land Law not until 1794. The latter, however, was in course of preparation and its contents known to those about the king.

ingly there appeared early in the reign an edict, in which the king declared that he had long felt it to be his duty to restore Christianity in its original purity, and put a stop to unbelief, superstition and the unbridled immorality springing from them. For this reason the three great confessions, the Lutheran, the Calvinistic and the Roman Catholic churches, are to be recognized and protected in their former rights. The Jews, the Mennonites, the Moravian Brethren at Herrnhut, and the Bohemian Brethren also are to be recognized as "tolerated sects." All other conventicles injurious alike to the Christian religion and the state are forbidden, and all proselytizing prohibited. The king especially laments that so many preachers have been led away from the old faith and attempt to feed their flocks with the long dead errors of the Socinians, Deists, Naturalists and others with the result that doubt is cast upon the truth of the Scripture and Christianity is held up to scorn. This he will not permit, for it is the first duty of a Christian prince to maintain and protect the Christian religion in its high dignity and original purity, in order that the poor masses may not fall a prey to the deceits of the fashionable preachers and thereby millions of good subjects be robbed of peace during life and comfort in death. Therefore "as overlord and sole lawgiver in our states we order and command that henceforward no minister, preacher or school

teacher shall make himself guilty of these and other errors by daring to teach them publicly or privately in the performance of his duties or otherwise, under penalty of certain dismissal and, according to the circumstances, of still more severe punishment and retribution. There must be a universal, unchangeable standard, norm and rule of church doctrine, and we have firmly determined on the maintenance of this unalterable ordinance, nevertheless we freely concede to ministers the same freedom of conscience as to our other subjects, and are far from desirous of exercising constraint upon their inner convictions." Any teacher holding other views must therefore resign his position, or if he remains, as he may, he must be true in his teaching to the doctrine of his church. This remarkable edict was everywhere resented, as one German scholar says,[28] not because of the reaction it displayed against the theology of the Enlightenment, nor because the government ventured to interfere in the matters of doctrine or the regulation of the teaching and conduct of some preachers of the new school. Such interference was quite in keeping with the spirit of the times. In half a dozen other German states similar action was taken. But "that in the land of Frederick the Great, in the metropolis of the Enlightenment, and after the domination of exactly the opposite views and governmental

[28] Carl Mirbt in RE, xxi, 431.

principles for nearly half a century, without consideration of the customary rights of the church or of the right of historical development, without consultation with the church courts or with the ecclesiastical and theological administrative officers, by royal cabinet order threatening even dismissal and still more severe punishment, not only preachers and teachers received a prescribed norm after which to model their official and unofficial utterances but also every good citizen was enjoined to keep his private views to himself and carefully to refrain from making them known or commending them to others—this was very widely felt to be an unprecedented presumption. In addition to this there was the crying contrast between the austerity of the edict with its half pedantical and half unctuous tone and the immorality of the prince whose name it bore." In other words, the interference of the king was regarded as perfectly legal, he was the "sole lawgiver" to use his own words, and as in accord with princely methods. Only the manner in which he acted, neglecting the custom of first consulting the church leaders, a custom that had no basis in law though defended by some ecclesiastical writers as required by the divine institution, and the gross inconsistency of his acts with his edict were open to criticism. He had violated good taste rather than the law.

The attempts to enforce the edict were of the

same nature. Protests, and requests for an elucidation of the edict, from the members of the Superior Consistorial Council and other dignitaries of the churches were brusquely set aside, new text books were prepared or planned for the instruction of the laity and candidates for the ministry, and a Commission for Immediate Examination was appointed to enforce the regulations of the edict and supervise religious instruction and religious affairs generally. This commission was charged among other things with keeping a list, or rather two lists of the preachers and teachers, one containing the names of the orthodox, the other the names of all those that had adopted the new views or through teaching or manner of life were injurious. A watchful eye was to be kept on those on the first list, admonitions and dismissals were to be the lot of those on the second. .

In spite of threats, however, and the extraordinary powers of the commission little could be accomplished. A few pamphleteers had been thrown into prison immediately after the publication of the edict, but the inquisition for heretical preachers was almost without result. One pastor was deposed for immorality, and another because he gave offence not only by the violence with which he attacked dogmas of the church, but also by the manner in which he combed his hair. Interference with the freedom of the University

of Halle was resented by both students and faculty. The students drove the visiting commission out of the town, and the theological professors, after suffering much annoyance, appealed successfully for relief to the State Council as the highest court of appeal. "They say we are powerful,"[29] said one of the members of the commission, "but we have been unable to depose a single preacher of the new doctrine; everything works against us." At the same time it was only after the death of the king that this attempt to coerce the church and mould the consciences of his subjects was abandoned.

Rieker,[30] a most ardent modern defender of the establishment, consistently defends the Edict, pointing out that it and not the Land Law first placed the three great confessions on an equal footing in the kingdom, and that the restriction of freedom in teaching was necessary because preachers were using the pulpit to decry the very doctrines they had promised to proclaim, and to flout all positive religion. This is all true. From the standpoint of morals and religion some action was necessary and from the standpoint of law the king was justified in acting as he did. The remarkable things about it are that such star chamber methods could have been used at the dawn of the nineteenth century without calling

[29] RE, xxi, 434.
[30] P. 313 f.

forth more opposition than they did, and that the lesson taught by them, and universally recognized elsewhere in Protestant countries, namely that coercion in matters of religion must fail of its object, had not yet been learned in Germany.

CHAPTER VI

The Nineteenth Century

Frederick William II's attempt to club the church into submission failed. His successor tried the rapierlike methods of diplomacy and was successful. In many respects the reign of Frederick William III (1797-1840) was one of the most important in the history of Prussia, both politically and ecclesiastically. Degraded by the Napoleonic victories and brought to a sense of its shame by the Treaty of Tilsit, which robbed it of half its territory and left it helpless in the hands of the Emperor of the French, the proud monarchy recovered in time to play a respectable part in the later phases of the war, and in the treaty which reestablished the peace of Europe received back more than its original possessions. The rest of the reign was devoted to making good the ravages of war, unifying and consolidating the kingdom along the lines laid down by Frederick the Great and the Prussian Land Law.

The French Revolution had been accompanied in Germany as elsewhere by the assertion of the rights of man and a widespread demand for political reform. In the year 1815 the king had

yielded to this demand by promising a constitution, but to the great disappointment of his subjects he did not see fit to grant it after peace was declared. On the contrary, he and his ministers, being persuaded that the country was not yet ready for such a measure, opposed it by every means in their power. Other German states were forced to grant some share in the government to the people, but Prussia, in spite of such examples outside and continual agitation within its own borders, was able to remain an absolute monarchy until 1851. It is necessary to have this political condition in mind as we read the story of the conflict between the king and the churches, for the orders and measures taken by the king and his ministers were always considered in relation to the popular desire for freedom.[1] "I am becoming more and more convinced," said Altenstein the minister for ecclesiastical affairs, "though I am not able to prove it, that the political movements seek to ally themselves with the religious."

To what extent the subjection of the church to the royal will assisted in postponing the civil constitution it is of course impossible to say. But judging from the analogy of other Protestant countries where political freedom was the result of the spirit of freedom inculcated by religion, it is safe to say that the subservience of the clergy as a whole which was effected to a greater extent

[1] Foerster, ii, 233.

in this reign than before played a proportionate part in keeping the people submissive. Religious forces had comparatively little to do with the uprising in 1848 which led to the granting of a constitution. That the king was not unmindful of the political influence exercised by the preachers is evident from the terms of the oath he sought to impose upon them:[2] "In like manner I promise to be true to my legal king, his majesty the king of Prussia, my most high and mighty territorial ruler and supreme bishop, and will seek and advance the king's interests and good in every way. With life and blood, with doctrine and example, with word and deed, I will defend the royal power and dignity as it is established in our wholesome monarchical form of government. Likewise I will make it known in good time, if I discover anything aiming at the alteration or abolition of this excellent fundamental constitution, in which the welfare of the state has subsisted and subsists, and to which I promise conformity and obedience in all particulars. In like manner, as much as in me is, I will render obedience to his Royal Majesty my most gracious king, and to those who have the right to command and rule in his name; and I will admonish my parishioners and the members of my congregation to think and speak rightly, at all times, of the secular authority which is ordained

[2] Foerster, ii, 64.

of God." With this oath the king endeavored to bind all Protestant preachers of the kingdom, not only to a loyalty to the state but even to the particular form of government, the absolutism, which he had promised to surrender. It would be hard to conceive of a more flagrant attempt to subject the church to the interests of a political system, or of a more powerful weapon in the hands of the king if the attempt had been successful. That it was not finally insisted upon is due to the fact that such an oath had never before been required of preachers in Germany, rather than to the feeling that its contents were at variance or might be at variance with the duties of a minister to the church.[3]

It is not to be deduced from this that the king's interest in the church and the clergy was entirely political. Indeed exactly the opposite is true. Frederick William had received and responded to a careful religious training, and from the beginning of his reign showed a desire to depart from the laissez faire policy of Frederick the Great and the Prussian Land Law and to return to the attitude of the earlier members of his house who regarded it as a sacred duty to promote religion and exercise the jus episcopale.

To his mind and to the mind of all observers some action was necessary to preserve the Chris-

[3] The report of the Royal Commission is printed in Foerster, ii, 426 ff.

tian religion from falling a prey to the superficial rationalism of the time. The drastic measures of his predecessor had had no effect. Individual churches and individual preachers persisted in going each his own way within the limits allowed by the Land Law and the extremely tolerant principles of Frederick the Great. The old denominationalism was dead, or at least appeared to be, although Lutheran and Calvinistic churches still stood side by side each with its own symbolical books and organization. Even the doctrines common to both were frequently conspicuous by their absence from the sermons of the preachers, who satisfied themselves and apparently their congregations with moral homilies or more or less veiled attacks upon the fundamental doctrines of the church. The upper classes openly shrugged their shoulders at the mention of religion, and it was feared that the peasants, ever prone to ape their superiors, might soon learn to do the same.

The clergy for the most part were drawn from the lower classes, badly educated and miserably paid—conditions intensified by the ravages of the Napoleonic war. Those in the city were better provided for, but the country pastor, by uniting the income from salary and incidental fees, and working his glebe, was frequently unable to live decently, or was dependent upon the charity of his patron or other neighboring gentry. Schleiermacher[4] reports in addition that many of them

[4] Quoted by Foerster, i, 90.

"cared neither for religion or their office and made themselves obnoxious by their incapacity, their immorality and their coarseness."

Moreover, the organization of the churches was not satisfactory. Although the Land Law contemplated each congregation as an association of voluntary members with certain rights and privileges, most Lutheran churches had no congregational organization, while both the Lutherans everywhere and Calvinists in the older parts of the kingdom were governed and controlled by consistories and directories which had come into existence as occasion demanded, and had no bond of connection save a common responsibility to the crown.

To add to the confusion there was great uncertainty concerning the theory of church government and the relation of church to state. The political aspirations toward freedom gave new impetus to the collegiate theory, the superiority of the presbyterian system was acknowledged now when doctrinal differences no longer obscured the fact, and the success of the free and independent churches in England and especially in America was held up as proof of the church's ability to stand alone. The establishment of free and independent churches was both advocated and expected in the near future. Schleiermacher was one of the foremost champions of freedom, and, although he altered the details of his pro-

posed system, remained always true to the conception of a church organized from the bottom up, and free from interference by the monarch or the state. He protested against enforced uniformity in either creed or liturgy, against compulsory church membership, and indeed against all compulsion in religious matters, which he regarded as only part of a larger evil, namely, the bureaucratic military absolute monarchy. He wished the church to be free, and the common people to feel that it belonged to them, not that it was a yoke imposed upon them.[5]

The most decided opponent of the more liberal views, however, was the king himself, who, although continually protesting that he would do nothing to force men's consciences, ruled the church as absolutely as he ruled the state, by means of cabinet orders, and the skilful machinations of his ministers. One of these, Altenstein,[6] reviewing his long term of service, offers this explanation of his behavior: "I have served your Royal Majesty with the most perfect devotion. Not only that I have consecrated all my powers in their full strength to your service and loyally subordinated myself to your will—it is my chief joy that I have revered in your Majesty the determinate instrument of divine providence whose utterances became my convictions when my own

[5] See the passages cited by Foerster, i, 159; ii, 24.
[6] Foerster, ii, 315.

intentions led me in another direction or on another course."[7] And this is the only justification that may be offered. When even such loyalty as this indicates failed to find a justification for the king's proposals, the learning and sophistry of others was drawn upon, and when all else failed there remained as a last resort the royal cabinet order against which none dared to protest.

Professor Augusti of Bonn revived in defence of the king the old territorial theory, stating it more crassly than earlier writers had ventured to do, namely, that as the government of the church is by nature a prerogative of the territorial prince, he may, even though he be a heathen or a Turk, exercise it perfectly arbitrarily. A minister of state, Von Kamptz,[8] prepared an equally good defence on the basis of the episcopal theory. The Protestant princes of Germany, he maintained, are the legal successors of the bishops and possess full episcopal powers. The point of this being that in his capacity of civil ruler the king might be bound to observe the law but as bishop he was not responsible nor bound by any political or legal restrictions.

If the territorial and episcopal theories were not adequate, appeal could be made to the methods and principles of the reformers and the princes of their time. Thus an opinion of the

[7] Foerster, ii, 82.
[8] Foerster, ii, 84.

Ministry for Ecclesiastical Affairs[9] declared that although there were serious objections to the imposition of a liturgy by the king in his capacity of civil ruler or bishop, nevertheless, as a member of the church, as a membrum praecipuum, he had the right to suggest and commend alterations and to use all the advantages of his position as king to secure their adoption by the churches, only he must not positively command their introduction. The problem in this case was how to get around the very definite statement of the Land Law that the church associations had the right to regulate their own services, the state retaining only the right of veto. The opinion of the ministry found a way for the king legally to introduce innovations, but not to enforce them. A little later, however, and in another connection, Altenstein[10] found a satisfactory solution. The church he said undoubtedly has full liberty in matters of doctrine and worship. But how does the church express itself? Not through individual members for they are not to be confounded with the church, and not through its courts for they are notoriously incapable. It expresses itself through the Christian ruler who since the Reformation has been its only proper organ of expression. "The decision of an evangelical territorial ruler, who with pious mind and serious purpose has in-

[9] The opinion is printed in Foerster, ii, 394 ff.
[10] Foerster, ii, 216.

quired into the needs of the church, and gathered experience on every side, has always been the most certain attestation of new institutions in the evangelical church and especially in Prussia from the very beginning of the Reformation until today." To this there is no reply; it is in accord with both history and law, and leaves the German prince in absolute control of the church in the nineteenth as well as in the sixteenth century. Indeed more so, for whereas formerly his activity had been controlled to some extent by the diets, and exercised in consultation and agreement with the clergy, Frederick William III went his own way without conceding any share in the government to either. A few writers advised that ecclesiastical affairs like others should be laid before the diets and regulated by law, but they found no supporters.

The first change of any importance in church affairs was the abolition of the consistories and other church courts in 1808, and the immediate subordination of the church to the government in the several provinces and the capital. This was not so much the work of the king as of his great minister Stein who intended thereby to use the church more effectually in arousing the humiliated nation and organizing it for the prospective war with France. His plan contemplated also the organization of the congregations with a view to self-government, the abolition or at least the

amelioration of patronage, and the betterment of the financial condition of the clergy.

These more liberal reforms, affecting the common life of the church, remained unfulfilled. The changes made, however, were of great importance. They did not involve the surrender of the churches' liberties to the state, for the abolished courts had been quite as much the creatures of the state as the new ones. But they made it possible for the state to control and direct the churches more immediately, and, what was of equal importance, they united the government of the three churches[11] in one office. Regarded from the standpoint of the churches it could not be called a church union, for each denomination besides its own separate consciousness retained its peculiar creeds, liturgies and domestic laws. From the standpoint of the state it was a constitutional union, the extent and results of which depended largely upon the king and his advisers.

Frederick William III's religious interests did not run in the direction of doctrine. Like many of his ancestors he regarded the theological differences which divided his subjects as of no importance. But he was moral and serious in his religious views, reflecting the romantic and emotional spirit of his time in his admiration for the reform-

[11] The Lutheran, the Reformed or Calvinistic, and the French Reformed churches; the first two being also subdivided.

ers and his interest in the outward forms of worship. Like his predecessors he desired greatly to bring about an organic union of the Protestant churches, but felt himself debarred from doing so by the freedom of conscience guaranteed to all. He saw no objection, however, to his effecting a more kindly attitude of the Lutherans and Calvinists toward each other especially in respect to admitting each other to their respective communion services, nor to his introduction of a uniform liturgy in all the Protestant churches of whatever faith, nor to the establishment of the episcopal system of church government. This was his program and in attempting to carry it out he actually brought about church union.

The first step was taken in connection with the celebration of the Reformation in 1817, when the king urged that doctrinal differences be laid aside and that both branches of the Protestant church unite in partaking together the Lord's Supper in a spirit of brotherly love and Christian charity. The suggestion was hailed with delight in Berlin and elsewhere, for indeed the time was ripe. The former theological differences had almost entirely disappeared from the pulpits, Pietism and Rationalism had undermined the denominational exclusiveness, and the common experiences of the French wars had created a feeling of unity and solidarity among the people generally. The king personally supervised the preparation of the

liturgy for the occasion and on the 30th and 31st of October the churches would not contain the throngs of Lutherans and Calvinists that presented themselves together for the communion. The same thing occurred in all the larger towns and in smaller places. In many, steps were even taken to complete a real union by the consolidation of church property, schools and religious services. The Calvinists, who had never been so exclusive as the Lutherans, were the most ready to accept the union; among the Lutherans there was an unknown number that would have nothing to do with it.

In view of the favorable reception of this first suggestion of the king's, much was expected from the provincial synods of the following year in which Lutherans and Calvinists for the first time deliberated together over the common needs of the Protestant church. And indeed almost all the synods showed themselves well disposed toward the principle of union though differing in regard to the manner and time of its consummation. They gave much time to the consideration of the constitution of the new church and were agreed that a greater amount of freedom of action and authority, if not complete liberty, be accorded it.[12] They demanded that a general

[12] Troeltsch, *Kultur der Gegenwart,* I, iv, 437, criticizes them for giving preference to constitutional questions, but it is difficult to see how they could have done otherwise, or how they could have entered con amore into the real prob-

synod be called where representatives from every part of the kingdom might discuss the matter in all its bearings.

These demands, however, only angered the king and his ministers, who, alarmed afresh by the Wartburgfest at which some students had given expression to the liberal feeling of the day by emblematically committing the government to the flames, were more determined than before to maintain the absolute rule of the monarch. Like James I of England the king thought representative institutions in the church did not agree with monarchy in the state,[13] and one of his high officials the president of the province of Saxony characterized the demands of the clergy as "nothing but another attempt to realize the ancient ambition of the clergy, to release the priesthood, falsely called the church, as much as possible from the control of the state, and so to create a state within the state." Compulsion there certainly should be in the church but it should be exercised by the state and not by the clergy. He advised a stronger supervision of the preachers and of doctrine. Another critic proved from Luther's writings that the only power committed to the church was that of preaching the Word, compulsion of any kind could be exercised only

lem of the religious life of the people without some assurance that they would be allowed to put their plans into operation.

[13] Foerster, ii, 235.

by the state. Consequently the general synod which might show an obstreperous spirit, although promised, was never called together; the provincial synods were disregarded, and the presbyteries[14] in so far as they had been organized were allowed quietly to die. The church was to be ruled entirely from above and the union to be effected in this way, if at all.

The king's own wish was to introduce episcopacy, but in this he encountered much opposition. Professor Augusti indeed enthusiastically supported him but others pointed out that the recognition of any difference of degree in the consecration of ministers was directly contrary to Luther's teaching and that any attempt to introduce an episcopacy involving such a difference would result in a large part of the Lutheran church and the whole of the Reformed church withdrawing from the communion. Against the establishment of an episcopacy not involving any departure from Luther's principles, which could easily be done for instance by naming the superintendents bishops and the general superintendents archbishops, there was not so much objection but it was pointed out that it would give the Roman Catholics an occasion for mockery.

[14] Presbytery is the name given to the organized body of elders within a congregation, and must not be confused with the use of the word in the English speaking Presbyterian churches.

The king was obviously impressed with the necessity of avoiding anything in contravention to Luther's teaching for he did not attempt to introduce degrees in the clerical order, but he nevertheless created several bishops and archbishops and designed himself the dress they should wear—a silk gown and a golden cross. The office, however, was little more than honorary, a mark of the distinguished favor of the king, although its inmates were given a seat in the provincial consistory where they were able to support the general superintendents. It was rather by these latter, one of whom was appointed with very wide supervisory powers in every province, in 1830, that the king was enabled to keep in immediate touch with the churches and enforce his will from one end of the kingdom to the other.[15]

That which lay nearest the king's heart, however, was the new liturgy which he had himself written and was determined to introduce into every Protestant church of the kingdom. In preparing it he had drawn from the old German liturgies, especially those of the Reformation, many of which differed only slightly from the Roman Catholic mass, and also from those used in England and Sweden. It contained regulations in respect to the length of the services, the arrangement of the altar, the formation of choirs, forms of worship for the service on Sundays and

[15] See the instructions in Foerster, ii, 223, 470 ff.

holy days, for the communion and preparatory services, for baptism and marriage, also the Apostles', Nicene and Athanasian Creeds, a catechism and prayers, to which was added a little later forms for ordination, confirmation, communion and burial. It involved the introduction of an altar, if possible with a rail, candles, crucifix, the sign of the cross, kneeling, choral responses, etc. Uniform dress, of a design chosen by the king, had already been commanded.

The liturgy was put into use immediately (1822) in all churches and institutions directly under the king with the command that the officiating minister should not depart from it in the slightest particular. A copy was sent to every minister of the kingdom with a royal commendation, and the promise that those churches in which it was introduced should receive a copy from his majesty as a memorial of the happy occasion.

In spite of such inducements not one minister in sixteen was willing to use it. Objections came from almost every quarter, that it resembled the Roman mass, that the time for preaching and congregational singing was too short, that uniformity was neither necessary nor advisable, that the proposed liturgy contained some dogmatical statements which were peculiarly Calvinistic and some that were peculiarly Lutheran, and therefore interfered with freedom of conscience, and

that the king had no right to interfere in such matters anyway. A lively literary discussion arose in which the matter was reviewed from every angle.

The king, however, was unmoved by criticism. The most serious objections he characterized as idle chatter.[16] He refused to receive the representatives of a committee of clergymen, the only ones with experience in such matters, and even forbade their discussing it in synods, or writing against it. On the other hand he promised handsomely bound copies to all superintendents introducing it in their dioceses, presented crucifixes, candlesticks and other such things to the churches which had accepted it, spread broadcast the defence of his action by Professor Augusti, and in general endeavored by every possible means, short of a categorical command, to secure its adoption and use.

The nature of the opposition and the way it was overcome is well illustrated by the events in Berlin. The ministers in two of the churches declared their readiness to introduce the liturgy and received in recognition of their zeal two copies of it as a present from the king. As the congregations, however, had not been consulted, and as it was definitely stated in the Land Law that church associations should have power to order their own services, many prominent members

[16] *Geschwätz,* Foerster, ii, 97.

who did not favor the innovation appealed to the mayor of the city, who in virtue of his office was patron of the churches. He in turn accepted the responsibility and, supported by the city councillors, also entered a protest on his own account as patron representing in well informed and equally well argued remonstrances that the action of the ministers was contrary to law, that in the interests of true piety and order, if for no other reason, the wishes of the congregation should be consulted, that there was danger of some of the members withdrawing and joining a church where the old liturgy was still in use, that the new liturgy undoubtedly contained statements which implied the acceptance of theological doctrines that were still debated in the Protestant churches and its enforced use therefore a violation of freedom of conscience, and that liturgical uniformity was neither in keeping with evangelical doctrine nor in itself desirable. In a private note to the minister for ecclesiastical affairs he added: "It is not in keeping with the spirit of the evangelical church to recognize in it any head of the church, except in so far as worldly things are concerned. About this there should be clearly no difference of opinion in a state whose prince belongs to the evangelical church and especially among those that confess this faith."[17] But his remonstrance availed nothing. The provincial consistory de-

[17] Foerster, ii, 111.

clared a consultation with the congregation to be not feasible. The minister for ecclesiastical affairs called the remonstrance unpardonable, and the king interpreted the passage in the Land Law appealed to, as referring only to police regulations regarding public service and not to the liturgy. The minister of justice interpreted it otherwise but changed his opinion when shown the king's order.[18]

To the complaint that the imposition of the new liturgy was a violation of freedom of conscience the king replied,[19] "The liturgy is intended only to bring about uniformity in divine worship and to call again to life that which has been in the evengelical churches throughout the centuries, so that for the welfare of the church a stop will be put to the exercise of destructive arbitrary freedom by so many preachers. It has nothing to do with new doctrine or forcing the conscience. On the contrary, to all those that desire Christian edification it offers assurance and security that evangelical congregations will again receive out of the Holy Scriptures themselves and out of the old liturgies issued by my revered ancestors that which they formerly possessed, and which careless, misguided caprice has taken from them in great measure, thereby severing the holy bond of spiritual communion in the church." He com-

[18] Foerster, ii, 172.
[19] Foerster, ii, 108

manded also that the two handsome volumes which he had presented be formally returned because the churches by "the antagonistic and improper conduct of the magistrate their patron, and of other unauthorized spokesmen have shown themselves unworthy of the royal gift."

The incident was closed by a letter from the mayor in which he expresses sorrow that the disfavor of the king has fallen on him and finds consolation in the assurance that he has acted only in keeping with the dictates of his conscience and the duties of his office. So the liturgy was introduced with comparative ease even against the will of the congregation, the city councillors and the mayor of the capital city of the kingdom.

Of a different nature, but no less illuminating, was the conflict with those ministers of Berlin who did not accept the Liturgy. There were twelve of them, one being Schleiermacher, the most respected and influential divine of his age. Schleiermacher was in favor of union, but not of a union consummated by force. He held rather that the only wholesome and practicable method of introducing it and of improving the spiritual life generally was the establishment of the presbyterian system, in which the organized congregations should have charge of their own affairs, and representative synods should control and direct the larger interests of the church without interference from above. Angered by the new

liturgy and the attempt to force it upon the churches, he formulated his views afresh over a pseudonym and used the occasion to criticize severely the personal government of the church by the king and his ministers. Not many of the clergy, however, supported him. "Most of them yielded with broken convictions when they saw themselves threatened by the disfavor of the king and his ministers."[20] Schleiermacher's associate in Trinity church, and fellow professor at the University of Berlin, Marheineke, not only yielded but wrote a personal note to the king in which he stated emphatically that the king had the right to introduce the new liturgy, that it was the duty of subjects to obey in this as in other matters, and that for his own person he was unable to judge the liturgy and confided implicitly in the king's judgment. Such a declaration from a professor in the leading university serves to explain the readiness with which those in less honorable and responsible positions yielded to the royal demands.

In the summer of 1825 the authorities began to apply pressure to the twelve Berlin ministers in a very ingenious way. One of the king's advisers had pointed out that whereas there might be some doubt of the legality of the king's action in introducing a liturgy, it was beyond question that only those liturgies might be legally used which

[20] Foerster, ii, 183.

had been approved by the state. Following this he cleverly suggested that it might be advantageous to inquire into the origin of the liturgies in use and particularly to ascertain whether or not they had received official approval. If they had not, then the offending minister should be required either to adhere verbally to the liturgy which had last been approved for his church, or, if he preferred, to adopt the king's. It would be difficult to conceive a more paltry method of treating an important matter, and yet it was adopted. During the previous century and more, great liberty had been conceded to the churches in this respect. A few used the form which had been introduced in the time of the Reformation, but generally alterations and innovations had been made by the consistories, the superintendents and even the local pastors. In many of the Calvinistic churches indeed there was no set form whatever.

To the alternative thus presented Schleiermacher answered that the liturgy in use in Trinity church was based upon an ordinance of Frederick William I with some later additions which had been approved by the consistory. He proposed to leave it as it was and to defend it. Moreover, he reserved the right to use it freely and without servile subjection to the letter. Were the new Romanizing liturgy introduced every Calvinist and many of the Lutheran members of the congregation would regard it as an injury.

The other ministers responded in a joint note in which they protested against the liturgy itself and the manner in which it was being thrust upon the churches. Resting upon Luther's words they declared absolute uniformity to be out of harmony with evangelical freedom. Any liturgy introduced should come from the church and be approved in synod. The new liturgy was defective in literary style and theology, and not in keeping with the spirit of Protestantism. In answer to the argument that it had been generally accepted they answered that many ministers had accepted it against their better judgment and only when threatened by the king's displeasure. They sent a copy of their protest to the mayor and a little later had it published in Leipzig.

The king's minister, Altenstein, found himself in a very uncomfortable position. The twelve ministers were among the most respected in the capital and any action taken against them might occasion an uprising or at least an expression of sympathy among the people generally. At the same time he regarded their attitude toward the liturgy as reprehensible, and the publication of their protest as criminal. He decided in the end that it would be best not to inform the king of the incident but to endeavor by private conferences and threats to bring the twelve to a more reasonable attitude.

They, however, on learning this, appealed di-

rectly to the king, with a dignified and respectful petition written by Schleiermacher, in which they reviewed the whole matter in very much the same way as before. But if they expected to find more favor with the king than with his minister they were mistaken. "Insolence," "contumacy," "impudence," "criminal obstinacy," "foolishness," "silliness," "twaddle," are some of the marginal notes with which he transmitted it to Altenstein,[21] who agreed or at least said he agreed perfectly with his master's judgment and asked and received permission to handle the authors himself.

This however was no easier than before, and the matter dragged for over a year. Then as some action was made necessary by continued "contumacy," it was decided in a conference of four members of the state ministry, one of whom was the minister of justice, that the twelve were criminally guilty in three points, namely, of uniting in their remonstrance, of divulging and of publishing it, but that institution of criminal proceedings was not advisable because of the uncertainty of the outcome. Altenstein feared the judges would acquit them, and with the king's consent decided that the punishment should take the form of a reprimand in which the ministers were informed that they had committed a penal offence—or rather three of them—and that they owed it to the clemency of his majesty that proceedings

[21] They are printed in full in Foerster, ii, 423 ff.

were not taken against them. If their future behavior did not display a better knowledge they would be prosecuted. To this royal admonition seven of the twelve thought it best to yield, though it must be said in their favor that about the same time an appendix of alternate readings was promised for the liturgy which rendered it less objectionable.

Not so with Schleiermacher, however, who answered with dignity and firmly that he could not recognize his guilt in the matter, that he had only followed the dictates of his conscience, and still adhered to his former statements. If these did not agree with the views of the king and his advisers, he permitted himself to point out that he was in a better position than they to know what was edifying in public worship, and for the future he could only promise to act in accordance with his best knowledge and convictions as a Christian and a minister. By this answer Altenstein was roused to the necessity of "making the malignant divines harmless." "The evangelical church," he says,[22] "is more in need than ever of strong supervision. There is a little pope in most of the divines and it is very hard for them to submit to anything different and better." In this instance, however, Schleiermacher found an able and influential defender in President-General Motz who argued determinedly and effectually

[22] Foerster, ii, 175.

against any persecution, not because it would be useless but because the position taken by Schleiermacher and his companions was essentially right. Altenstein yielded very unwillingly, and so, to quote the historian of this period,[23] "the government of Frederick William was preserved from the blemish of having hunted the greatest theologian of the Evangelical Church from his office and pulpit as a 'malignant divine'." To which it need only be added, to set the incident in its proper light, that the spirit of Frederick William and his advisers in endeavoring to force the twelve into submission differed not at all from that of the Roman church toward Martin Luther more than three centuries before. Shortly afterward, the promised appendix having been published, the revised liturgy was approved by the ministers of Berlin, and with the consent of the congregations introduced into all the churches, Schleiermacher also, though with some reservations, consenting to use it.

By such means as these the new liturgy was gradually forced upon the churches in every part of the country. The Lutherans were the more willing to accept it, the Calvinists the more reluctant, a circumstance that did not escape the king's notice. In Pomerania, which was strongly Lutheran and chiefly agricultural, 1136 ministers out of 1311 had adopted it two years after its pub-

[23] Foerster, ii, 176.

lication. The king was so delighted with this that he appointed a special commission to force it upon the other 175, and what was of more importance for the future, conceded the optional use of old customary prayers, formulas and customs in place of his own. This was so successful in removing objections that similar "appendices" were prepared for every province, which greatly facilitated the introduction of the whole liturgy.

There were two districts in particular from which opposition was expected, and where the negotiations led to important results, the Rhine country and Silesia. The churches in the Rhine country were for the most part Calvinistic of the Swiss or French type, rather than the German. They had only recently come under the Prussian crown and still retained the independent presbyterian form of government and freedom in liturgical matters which had characterized them before. In 1830, eight years after its publication, out of 769 ministers 638 still refused to accept the liturgy, and there had not been a conversion for four years. The reason for this wholesale refusal was two-fold. The ministers insisted that innovations should come to them through their own courts and objected to the form and content of the king's liturgy. Their antagonism was also embittered by the action of the king in taking under his own protection and preventing suit against two preachers accused of crime, when

they declared their willingness to accept his forms, and in endeavoring to compel submission where the preacher was willing to introduce the liturgy but the congregation and church courts unwilling. The opposition offered was so general and determined and so unlike the plasticity of the eastern provinces that the king and his ministers found it advisable to let the matter drop for a time. It was then taken up through special envoys and a general superintendent who at last persuaded the king and his advisers that the presbyterian constitution as there established was historically and legally justifiable, and that there was no hope of introducing the liturgy unless this was formally recognized. This the king was forced to do, but, true as far as possible to his principles, he insisted also that the state should have more authority than the merely nominal oversight of previous times. The result was a constitution in which the presbyterian and consistorial elements were combined. Organized congregations, presbyteries and synods remained as before, but a general superintendent and consistory appointed by the king exercised supervision over every province (1835). This being introduced and an "appendix" prepared and approved, the liturgy was adopted without much more trouble.

This new constitution was destined to play a larger part in the history of the church than was

at first intended. It was obviously a compromise between the unyielding independence of the presbyterian churches on the one hand, and the absolutistic claims of the king on the other, and satisfactory to neither. But after some time it came to be regarded as a proper realization of Luther's ideals for a church in which the laity, the clergy and the state should all share in the government[24] and served as a model for the constitution granted to the evangelical church of Prussia in 1873, and in force today.

The opposition in Silesia, although similar to that elsewhere at the outset, ended in bringing into sharpest focus the whole question of the episcopal rights of the prince. The churches there, like those in the Rhine country, had only recently come under the Prussian crown, and still retained the freedom of their former condition and some of the strength developed in maintaining themselves in an antagonistic Roman Catholic environment. When the matter of union was broached in the early '20s the Lutherans and Calvinists gathered in synod in Breslau and thoroughly sifted the whole matter. They began with doctrine, separated those points to which both churches consented or could consent, and agreed to make these the basis of the new united evangelical church. They also touched on liturgical matters, declaring it to be their opinion

[24] Rieker, 367 ff.

that uniformity was not necessary. Then, well pleased with themselves, they announced the accomplished fact to the king. But in both points they had run directly contrary to the royal wishes. For the king was persuaded that as little as possible should be made of dogma, and that a uniform liturgy was absolutely necessary. The report of the clergy was therefore laid aside, and the new liturgy pushed in the usual way by pressure from above.

The leader of the opposition was Scheibel, pastor of the chief Lutheran church of Breslau and professor of theology in the university there. Defending supernatural Christianity against the prevailing rationalism of the earlier decades of the century, and orthodox Lutheranism against both Calvinism and indifferentism, he had gradually gathered a considerable following among all classes of the people and the clergy. He had been one of the very few to vote against the union in 1822 and foreseeing trouble had set himself to study the whole subject of the origin and history of the constitution of the church. "He found in the pastoral epistles the elements of a divinely revealed constitution of the church, according to which the congregation, led by clerical and lay elders, by a free exercise of love should maintain its pastor, care for doctrines and exercise church discipline over all the members." [25]

[25] RE, xvii, 549.

This constitution had been generally neglected, but appears sporadically in the earlier centuries among heretical sects, and later in Luther's writings and among the Bohemian Brethren. The consistory of the church in Breslau, composed of ministers and laymen, he thinks in essential agreement with it, and as long as the authorities did not meddle he had no complaint to make on this score. His fundamental objection was to union with the Calvinists whom he considered in the old orthodox fashion to be heathen and anti-Christians. It was only when he perceived that union was to be thrust upon the church that he went to the extreme of entirely denying the rights of the king in church affairs and comparing Frederick William III to Balak king of Moab and Antiochus Epiphanes. That he was not the "sly self seeking fanatic" that the king's bishop Eylert represented him to be is sufficiently proved by the honor in which he was held wherever he came while being hunted from place to place by the Prussian authorities, and by the fact that after the king's death he was named honorary member of the superior church council and called to the chief pastorate in Breslau.[26]

[26] Foerster, ii, 202 ff., endeavors to show that he derived his peculiar views from Pietism and not from Lutheranism, but can do so only at the cost of denying to the latter a part in the religious movement which expressed itself in missionary activity, in Bible societies, tract societies and

Scheibel's suspension in 1830 for refusing to use the liturgy, instead of silencing him and cowing his followers, caused him to protest even more strenuously than before, and his congregation to petition for permission to withdraw from the church and form a separate communion. They numbered about 1000 at first, but the advertisement of their aims and their persecution led others, both clergy and laity, to sympathize and join hands with them. They wished merely to remain as they had been—orthodox Lutherans true to the faith of their ancestors, with the right of ordering their own services and managing their congregational affairs.

From the standpoint of the government this attitude was not only destructive of ecclesiastical uniformity, but even threatened the political unity of the kingdom. Religious conventicles in other parts of the country had been discovered with alarm, and the king had been advised by his bishops that the spirit engendered thereby was one of pride, the members regarding themselves as peculiarly the children of God, refusing to recognize or to communicate with any other Christians, and distorting in an improper way the

prayer meetings. Such things are not contrary to the spirit of Lutheranism. They have merely been absent from it throughout the greater part of its history, mainly because they fell under suspicion and were not allowed to develop normally. They have been more or less present in it ever since the days of Spener.

precept that man must obey God rather than man. And Altenstein a little later advised that there was danger of the religious movement becoming political.[27] The petitioners therefore were denied their request (December, 1830) and informed that their "separatistic spirit which unambiguously displays a bold rebellion against what pertains to the general peace, and is particularly suspicious at the present time, is not looked upon with favor."[28] When Scheibel went to Berlin in order to protest directly to the king against the attempted violation of his conscience he was refused an audience and curtly informed that "it was not a question of conscience at all; it was his duty as a subject to obey the orders of the king."[29] More particularly he and his friends were told that the new liturgy and church union had nothing to do with each other. There were "united" churches within the new evangelical church, but there were also un-united churches, that is to say, churches which still retained their denominational Lutheran or Calvinistic confession and character, and there was no reason why Scheibel and his friends should not also remain loyal to the past and accept the new liturgy as well.

[27] Foerster, ii, 261, 283.

[28] RE, xii, 4. The reference is obviously to the excitement of the liberal press of Germany by the July Revolution in France.

[29] RE, xii, 2.

The most charitable and probably the correct explanation of the king's attitude toward doctrine is that he was incapable of appreciating it or its place in history. In 1813 he ordered that ministers and teachers should not be bound to any creed; the Bible alone was to be the norm.[30] In 1822 he ordered that they should swear not only to the three oecumenical creeds but also to both the Lutheran and the Calvinistic symbols "as they are harmoniously received,"[31] and as this was ambiguous to say the least, a later order, in 1823, prescribed the Augsburg Confession and the "creeds of the united Evangelical Church in so far as they are in agreement with one another." What he wished, of course, was to bind the ministers to the consensus of doctrine in the several creeds, but of any attempt to determine what this was or to reduce it to form he would not hear. The synod of Breslau had earned his displeasure by doing so, and indeed any such union creed would only have added one more to the many that were already in use and given one more occasion for dispute. His ancestors had attempted to unite the churches on a credal basis; he was determined to unite them by leaving the question of creeds strictly alone, or at least not to disturb it any more than was safe. On the occasion of the anniversary of the Augs-

[30] Foerster, i, 192.
[31] Foerster, ii, 45.

burg Confession in 1830 he stated in a cabinet order, that was supposed to be normative for his ministers, that the Augsburg Confession was the one chief confession of all the Protestant churches; and he hoped to bring about a common dead level of doctrine by ordering that in the appointment of pastors to congregations no consideration be given to the earlier denominational training and affiliations of the candidate, and by prohibiting the use of the names Lutheran and Reformed (Calvinistic) in reference to churches.

It is not hard to see why conscientious Lutherans such as Scheibel and his associates felt that their most precious possessions were endangered by the interference of a prince with such views and methods as these, especially as they had also to regard him, hereditarily at least, as a Calvinist. They therefore gave no sign of submission but continued to present petition after petition, to offer passive resistance to all measures taken against them, and to continue their religious services in their own way. Scheibel refused to acknowledge his suspension and was forced to flee the country. Other pastors that continued his work were thrown into prison, and the military were called out to take possession of a church about which the faithful men and women members of the congregation had gathered to protect what they called their own. The last episode of the sad story came when the miserable

congregations asked for permission to emigrate, and even this was refused. But in this even Frederick William III had overshot the mark. The sympathy of a great part of the kingdom had been enlisted for the sufferers. The crown prince put himself at the head of a movement directed toward a more equitable settlement and was seconded by many influential members of the judiciary and other officials. The emigrants were finally allowed to go to America and the leaders who had remained in prison without trial for months and years were released, but only on the demand of the minister of justice himself. But the right of separation and the formation of independent churches was still denied, nor was it granted until after Frederick William III's death.

In many respects the ecclesiastical policy of Frederick William III is closely analogous to that of the Stuarts in England and Scotland. In regard to the divine right of kings, the compatibility of monarchy and episcopacy, the enforcement of uniformity and lack of appreciation of more important matters, the subordination of law and justice to the king's will, the failure to call together the diet, the personal interference of the monarch, the determination to compel obedience by every means, and the end to be gained, absolutism in state and church, both stories run closely parallel. The main

points of contrast are that the events in England and Scotland took place in the seventeenth century, those in Prussia in the nineteenth, and that whereas the Stuarts were opposed by a body of public opinion that effectually withstood their pretensions, the Prussian king found little difficulty in blocking or thwarting the sporadic attempts to obtain or retain ecclesiastical liberty.

To set this in its proper perspective it is only necessary to recall that at the same time and almost in the same year, when the whole Prussian church passively allowed the urgently needed reforms of the constitution, the mitigation of patronage, the organization of congregations and the introduction of church discipline to be set aside by the king, and accepted his dictation in matters pertaining to the innermost life of the congregations, one half of the Church of Scotland withdrew from the mother church, willingly forfeiting material and other advantages, because of the encroachment of the civil power on what they considered the liberties of the church in the one particular of patronage.

The attempt has been made to show that Frederick William III's personal intervention in church matters was something new and unique in Germany,[32] but such is not the case. It attracted more attention because it occurred in the open light of the nineteenth century when liberal

[32] Foerster, ii, 301 ff.

ideas had begun to penetrate even the Prussian darkness. But in itself it is merely a continuation of the church policy of the old territorial system, as Treitschke rightly perceives.[33] The authority of the prince has remained the same throughout the centuries since the time of the Reformation, the manner in which it has been exercised has varied according to the convictions or the fancies of the individual rulers. In 1827 when Frederick William III at last determined to introduce his liturgy everywhere he justified himself with three arguments, first, the authority of Luther, second, liturgies had been introduced by the princes in the earlier centuries, and third, almost all the clergy had expressed their willingness to adopt it.[34] Of these the first and third are not in accordance with fact, but the third, the similar interference of his ancestors, is beyond all cavil.

In spite of the fact that Frederick William III on his deathbed enjoined his son and all succeeding kings of Prussia energetically to protect and maintain the new liturgy in the interests of uniformity and pure revealed Christianity,[35] a more liberal policy was inaugurated by Frederick William IV. The "Old Lutherans" were allowed to separate, but not to call themselves

[33] *Deutsche Geschichte im neunzehnten Jahrhundert,* iv, 567.

[34] Foerster, ii, 161.

[35] The Edict is printed in Foerster, ii, 55 f.

a church. "And so the church which was older than the established church itself received at last a belated and conditional recognition."[36] Greater liberty was permitted in the use of the liturgy and all the questions of reform and reorganization which had been suppressed for twenty years were again brought to light. The king's own wish was to establish the episcopal system with many small dioceses, organized under an archbishop of Magdeburg, and with apostolic succession assured by the cooperation of English or Swedish bishops.[37] Into the hands of a church organized in this way he was willing to commit its own government but not into the hands of the representative synods which the clergy wished. For a general synod in 1846 had demanded the establishment of presbyteries and synods representative of the church to cooperate with the officers and courts nominated by the king, and had at the same time prepared a new creed for the united Evangelical Church, in both respects running counter to the royal will. Progress along this line was interrupted, however, by the political agitation that culminated in the uprisings of 1848 and the constitution of 1851, from which is to be dated the beginning of self-government in both church and state in Prussia.

[36] Von Treitschke, as cited, v, 350.
[37] Von Treitschke, v, 361.

The Parliament of Frankfort planned for complete religious and ecclesiastical liberty. The individual should be entirely free from compulsion in respect to private and public worship. His rights as a citizen should not be affected by his religious beliefs or preferences. Groups of likeminded believers should have perfect freedom to meet together for worship and to organize congregations. Patronage should be entirely abolished, and although it was not definitely stated, it was implied that the state should leave the churches entirely to themselves, that is to say, that there should be a complete separation of church and state after the American or Belgian fashion.

Within church circles opinion was divided in respect to the new proposals. The demand for more liberty in both church and state was all but universal, and most writers advocated a representative form of government for the church similar to that proposed for the new empire. Others were found who favored episcopacy, or the continuance of the territorial system. Some looked forward hopefully and confidently to a free and independent evangelical church which should embrace the churches in all Germany, and many deprecated any change that would free the common people from their obligations to the church, or the church from the ties that bound it to the state and the people. It was feared

particularly that the church, having no organs of self-expression and no experience in self-government, would not be able to maintain itself and that the common people, freed from the compulsory contributions and compulsory attendance, would cease to render it that material and moral support necessary to its existence, a fear that was undoubtedly well grounded if Schleiermacher was correct in saying that the people regarded the church as a yoke imposed by the military monarchy. It was characteristic too and ominous for the future that those preachers that enjoyed the reputation of being orthodox sided as a rule with the monarchy in its struggle with the growing democracy and thereby earned for the church the reputation of being both the ally and the servant of the absolute state.[38]

The political agitation of 1848 failed of its objects, the unification of Germany and the establishment of representative government, but it at least had the effect of introducing representative institutions into those states that had successfully resisted them before, and of giving additional impetus for a time to liberal ideas. In the sphere of church government the effect was somewhat similar, but it is to be doubted if the church as much as the people.

In the midst of the disturbances (1848) there

[38] Ernst Schubert, *Die evangelische Predigt im Revolutionsjahr*, 1848.

was published a provisional constitution which ordered for the future that "the Evangelical and Roman Catholic churches, and also every other religious association, regulate and administer their own affairs independently and remain in possession and enjoyment of their institutions, foundations and funds intended for the promotion of religion, education and charity,"[39] and an explanatory note added that the hitherto prevailing government by the prince would come to an end. Measures were even taken to facilitate the transference of the church business from the existing governmental bodies to the churches. In the constitution of January 31, 1851, the same sentence appears, though with the additional requirement that all religious associations may receive corporate recognition only by special legislation. As a matter of fact, however, no change was made in the legal status or government of the Evangelical Church which continued afterward as before to be ruled by the king.

How this is to be reconciled with the statement of the constitution it is perhaps useless to inquire. When the first alarm was over and the government again felt itself secure the political constitution was modified in favor of the monarchy, and probably the real explanation of the government's failure to fulfil also its promise in regard

[39] Quoted from Rieker, 394.

to the churches is that it did not wish to and was not forced to. But an interesting theory has been advanced in defence of the king's action, which may be mentioned here as it may play a part in some future settlement of the relation of church and state. It reaches back to the time of the Reformation and turns on the peculiarity, which we have noted, that the reformers did not call upon the princes *as princes,* but as *distinguished members* of the church to regulate church affairs. On this basis it is maintained that as the jus episcopale does not belong to the prince in his capacity as head of the state, but as a member of the church, the constitution of 1851 which declared the church free from the state did not declare it free from the prince, who as praecipuum membrum continues to exercise the episcopal jurisdiction.[40] To which the answer is made that whatever form the appeal of the reformers took the fact is that it has always been the prince as prince that has exercised the jurisdiction, and that therefore the jus episcopale is not to be considered as annexed to, but as immanent in, the civil government, and therefore is modified and conditioned by anything that affects the position of the prince as head of the

[40] Richter, *Lehrbuch des Kirchenrechts,* edited by Dove and Kahl, 177; Jacobson, *Preussisches Kirchenrecht,* 119; Sehling, in RE, x, 472, and elsewhere; Friedberg, *Lehrbuch des Kirchenrechts,* 206.

state.[41] According to the former of these the king is the supreme head of the church, irresponsible in the exercise of his jurisdiction; and the church, including its head, is separate and distinct from the state, each having its own objects, methods and administrative machinery culminating in the person of the king. This distinction, while sometimes called a meaningless quibble, is not without significance were it only because of its increasing popularity with German scholars, in which is probably to be seen not so much an attempt to defend the king's prerogative as fear of the church's falling into the hands of a diet controlled by Roman Catholic and other anti-evangelical interests. It is of comparatively little practical importance now, but it would become important in case of the introduction of responsible government. A choice of one of three dispositions of the church would then have to be made, either the complete separation of church and state involving the independence of the church, or the subordination of the church to a responsible ministry and so to the diet (as in England), or the retention of the jus episcopale by the sovereign as a personal prerogative. And in view of the peculiar historical origin and development of the relations between the king and the church the last of these, although open

[41] Mayer in RE, xviii, 717; and also the article *Kirchenrecht* by Mejer in the second edition of the RE.

to criticism at every point, would probably find advocates.

Should such a crisis occur the church would not be found so utterly unprepared, at least as far as the machinery of government is concerned, to assume control of its own affairs, as it was in 1848, for the whole tendency since the beginning of the reign of Frederick William IV has been to create synods in which the thought of the church may come to expression, and to sever the connection between the governmental office for the affairs of the Evangelical Church and the other state offices. Even before the new political constitution was published (June, 1850) the king created a special council ("Evangelischer Oberkirchenrat") for handling the inner affairs of the Evangelical Church, making it directly responsible to the crown as the church courts had been in earlier times. This done, the long deferred organization of the congregations and creation of representative synods was taken in hand.

A plan for the former which had been prepared by the outgoing department was put in the hands of the new council with the command to introduce it into all the congregations in the eastern provinces. This was attempted, but many difficulties were immediately encountered. The eastern provinces were the stronghold of Lutheranism and on account of their geographical position had come least of all in contact with

the presbyterian and Calvinistic churches. There was no appreciation of and so no demand for congregational organization. Objection was taken also to the organization being forced on the churches instead of being left to their own option; it was said to threaten the freedom of conscience of the individual denominational churches by drawing them more firmly within the less confessional Evangelical Church, to put power in the hands of the masses and therefore to be dangerous politically; and the patrons saw their legal rights endangered by the transference of so many matters into the hands of the congregation and its officers. It was not until ten years later (1860) following a cabinet order of William I, commanding the introduction of both presbyteries and synods, that energetic steps were taken in the matter, and only in 1869 was the work completed by the calling together of provincial synods. In 1873 the new constitution was definitely determined by royal edict and in 1874 it received the sanction of the diet, if that had been necessary. The last stone was added to the structure in 1876 when a general synod for the eight older provinces was called into being.

The new constitution, as has been indicated, though approved by the synods did not give liberty to the church. It was issued by the king "in virtue of the authority vested in him as bearer

of the territorial church government" ("des landesherrlichen Kirchenregiments"), and presumably can be recalled by the same authority. Of this, however, there is some doubt. The fact that the constitution was laid before the diet and by its action became a law of the land would indicate that the representatives of the people have vindicated their right to share in the exercise of even the episcopal jurisdiction of the crown. In either case, however, whether the source of authority be the king himself or the state there can be no doubt that the real government and control of the church are still in the hands of the civil authorities. Not only does the new constitution expressly state that it has no reference to union and doctrine, which therefore remain as before in the hands of the king, but even in matters pertaining to the constitution and management of congregations and synods alike the king is able to exercise control. Royal officials have supervisory rights and special privileges in the synods. All recommendations must be approved by the state ministry as containing nothing contrary to any law of the state or detrimental to the interests of the state, and then laid before the king for sanction, promulgation and execution. The attitude of the edict is paternal throughout. Exact directions are given concerning privacy and publicity, the qualifications of congregational voters, elders and representa-

tives, the disposition of funds, the manner and management of elections, etc. The regulations are mandatory, provision being made both for their enforcement and for the punishment of neglect. In short, just as in the political sphere, representative institutions have been created but little power or authority conveyed to them.

"The limitation of the exercise of supreme power which was applied in the political sphere has simply been transferred to the church, a constitutional form of government by the participation of the representatives of the people in the most important acts of the sovereign, the erection of honorary official boards which is called, but improperly, self-government, the strengthening of the real self-government of the local communities, that is to say, in the case of the church, of the congregation; but of the real issue, which was that the church itself, the church as a whole, free as over against the state, should receive self-government,—this has not taken place. The church government now, as before, is government by the state organized in parallel lines with the political government. As the sovereign has not ceased to be the true ruler in political affairs in spite of popular representation, honorary offices and local self-government, so also in ecclesiastical affairs. The present legal position of the Evangelical Church is still the old territorial system, modified somewhat indeed,

but still unmistakably and genuinely the same."[42]

At the same time it is important to note that a beginning appears really to have been made at last in putting the church on its own feet. This appears both in the restrictions placed by the new constitution upon the prince in his exercise of episcopal jurisdiction and the corresponding right of approval guaranteed the synods, but more particularly in the much greater degree of freedom than ever before accorded to the congregation in such matters as the election of elders and managers, the choice of pastor, the exercise of discipline and the management of their own affairs generally. As the king truly said in his preface to it, the new constitution gives the powers within the church a greater opportunity to take part independently in the life of the church than ever before. It is true that they are handicapped by the privileges of the patrons which still remain in a mitigated form, by the legal restrictions that bind them on every side, and most of all by a lack of experience and training in responsibility and self-government, but nevertheless the opportunity and machinery for congregational life and effort are now present, and it remains for the future to disclose what the result will be.

If congregational duties had been voluntarily assumed by men who were earnest in their

[42] RE, xviii, 717.

Christianity as Luther wished, there would have been less doubt of the issue. But being imposed from above, in many cases against the wishes of the congregations, and defined in terms of the civil law rather than of Christian freedom, it is questionable whether the new constitution can accommodate itself to the needs of those that seek liberty to do good, or the desire of those to whom responsibility in such matters is irksome. The leaders of the church are alive to the necessity of creating congregational interest in the problems of religion and the church and of organizing and directing the forces now released. It is realized too that the time is near at hand when the inevitable separation of church and state will be accomplished, and the church forced to care for itself. The new century has been particularly fruitful of literature, plans and conferences, and also much real work has been done, but it is too soon to say whether or not the salvation of the church will come in this way. At all events, it will require some time to overcome the passivity in which the congregations have been sunk for four centuries.

With regard to the larger aspects of the new constitution, that is to say, the union of the synodical and consistorial elements in the government, theoretically the new arrangement may be described as an ideal one in which all the forces of the church are released, the laity, clergy

and government all sharing in the responsibility. But in practice it is a compromise, an attempt at uniting two kinds of organization that have previously been found irreconcilable, monarchy and democracy, government from above and government from below. The same thing in almost the same form was attempted in the sixteenth century in Hesse and ended in a victory for the monarchy, but it is unlikely that history will repeat itself in the German states of the twentieth century. The idea dominant in the sixteenth century and at the root of the state establishment everywhere, namely, that it is the duty of the state to care for the spiritual and eternal welfare of its subjects, is now all but dead; the parity of all religions in the eyes of the state makes it increasingly difficult to continue the special bond uniting the Evangelical Church and the state; and the outspoken denunciation of the favor shown the Evangelical Church, and of the Evangelical Church as the servant and tool of the government by a large and constantly increasing number of citizens—all these indications point to a time not far distant when the state will throw off all responsibilities in respect to the church and the church will be required to assume independence. This is not putting it too strongly. Many churchmen of Germany look forward with apprehension and dread to the time when the church shall no longer be controlled, restrained

and supported by the state, but forced against her will to assume responsibilities which it should always be her joy to exercise, and the free exercise of which it has always been her duty to vindicate for herself.

And if the church is unwilling to be released the state is equally unwilling to let her go. The theory of the Social Contract as understood by the eighteenth century has passed into the realm of academic history, but the theory of the state with which it was accompanied in Germany, namely that the state alone possesses the wisdom and the power of the nation and that the individual citizens and groups of citizens must submit to its will, is still dominant there. The state still keeps close guard, as close as it may in the twentieth century, upon the lives, actions and thoughts of its subjects, and needs the services of the church to maintain, for its purposes, "the fear of God, obedience to the law, loyalty to the state and an amicable disposition toward one's fellow citizens," to oppose the advance of Roman Catholicism which with its demand of submission to the pope would again subordinate the state to itself, and of Social Democracy which with the catch word "religion is a private matter" seeks to overthrow the established church as well as its ally the state. For all these purposes the state needs the services of the church, which is constantly in touch with the farthest individual

in the realm and ever ready to preach peace and submission to the state as indeed she is required by her constitution to do.[43]

[43] RE, xviii, 721.

CHAPTER VII

The Effects of the Territorial System upon the Church

From the time of the Reformation until the present there have not been lacking in Germany many pastors in every generation that have stood fearlessly for what they considered pure doctrine and true morality, and by their learning and life endeared themselves to their parishioners, and put the Christian world in their debt. From the homes of Lutheran ministers, as from the Scottish manses and our own ministers' homes, have gone out sons and daughters whose influence has been so great and good in every department of social life, as well as in the church, that no one can doubt the seriousness, piety and sound discipline that surrounded their childhood. Moreover, owing to this constancy of the pastors, there has been a steady though not uninterrupted advance throughout the centuries, so that it may be said that the position of the pastor and of the church as a whole was never so favorable or secure as today. But the struggle upward has been long and arduous, much more so than might have been the case had it not been for the op-

pressive hand of the state and the lack of independence in the church. The Protestant church in Germany, by being deprived of the form of organization and the self-government compatible with its principles, has never been free to control its ministers, to train its people or to play its proper part in educating, disciplining and directing the thought of the nation. The evil effects of the territorial system are written plainly in every page of its history.

The German Protestant clergy suffered in comparison with their brethren of the Roman church in not being supported and sustained by a closely articulated institution which was able to command the respect of all by its imposing dimensions if by nothing else, and in comparison with the clergy of the Calvinistic churches in not being supported and sustained by the laity in their congregations and their clerical brethren in synods. In Germany the church was monarchically conceived and organized. Beginning with the secular prince and working down, each member in the chain of government was subordinated to those above him and ruled over those below. Thus the pastor was not so much the spiritual adviser as the ruler over his parish. Nothing is more striking or of greater importance in the history of Protestantism than that the Calvinistic churches everywhere created congregations with a more or less democratic life, and a per-

sonal bond between pastor and people, and that the Lutheran churches, except in rare instances, as in Hesse, or where they came into contact with and imitated their Calvinistic brethren as in the Rhine country, had no such congregational life until the end of the nineteenth century.

The relation of pastor and people was comparable to that of monarch and subjects. This is to be attributed to the unwillingness of the authorities to allow the people any share in the government of the church, and to the circumstance that the pastor was, not only in appearance but also in fact, a state official exercising and enforcing his authority in the name of and with the means provided by the state. His duties were to preach, administer the sacraments, hear confession, catechize the youth, exercise discipline and oversee the school and poor relief, in all of which he was responsible only to his superintendent and patron. Apart from visiting the sick, which was continued from Roman Catholic times, there was no pastoral visitation. According to the plans of the reformers the private confession was to be made an occasion for advising individuals, but even though time had permitted such personal attention the plan was made nugatory by the debasement of confession to the recitation of a prescribed formula. Pastoral visits and gatherings at which the pastor might meet with the more serious minded for prayer and mutual edi-

fication, as Luther had recommended, were not only unknown but in some places actually forbidden. It was not until the end of the seventeenth century that they were introduced by Pietism from the practice of the Calvinistic churches, and even then they were not received with favor.[1]

The social position and recognition accorded the pastor varied, being determined largely by the dignity of his church and his own birth. The theological professors in the universities were held from the beginning, as they are still, in the highest esteem, forming in many respects a class by themselves. The court preachers and the ministers in the cities were also highly respected and given prominence both in official functions and in the councils. But the country pastor or the village preacher, as he was called, was regarded as little if any better than the peasants whom he served. The ironbound distinction between the several grades of the nobility, the citizens, artisans and peasants which reached its climax with the era of absolutism and fell only with the reforms of Stein at the beginning of the nineteenth century, fixed the boundaries beyond which no one might hope to pass. The first Protestant ministers were recruited from the priesthood of the Roman Catholic church,

[1] Tholuck, *Das kirchliche Leben des 17ten Jahrhunderts*, i, 101 f.

the trades and lower offices of the civil service. Very few of the nobility and practically no peasants are found among them. There was great difficulty in finding candidates, and many of them were quite unsuitable.

After the Thirty Years War the number of applicants greatly exceeded the demand. "It fairly swarms with candidates," says Schupp; "it is impossible to spit for fear of hitting one in the face."[2] But the quality was not good. One excellent source of supply, ministers' homes, had suffered very greatly during the war. The nobility, as before, would not lower themselves to such a level, and their example worked upon the lower classes of freemen. On the other hand, great numbers of peasants presented themselves. Every peasant apparently wished to have a son in the ministry, and these, insufficiently trained, without home advantages of a better kind, and under the social stigma of their birth (it is to be remembered the peasants were serfs until the nineteenth century), were not adapted for the rôle of leaders. So harmful was the presence of peasants in the ministry considered that when Württemberg took the reformation of the clergy in hand in the latter half of the eighteenth century, all peasants, laborers, minor officials and those not belonging to the "more honorable" classes

Page 222, Footnote 2.—Tholuck, i, 94. Drews, *Der Evangelische Geistliche in der Deutschen Vergangenheit*, 16.

were forbidden to allow their sons to study theology however well endowed by nature they might be.[3]

The difference between the country and city pastors was so marked that a lower degree of preparation was allowed the former, two years of training being regarded as sufficient and even much less at times accepted for the one, whereas the others were required to have pursued a course of five, eight or ten years. In passing from a country charge to the city a second examination was required. Lack of education is a constantly recurring complaint, and although theological study was required by law and supposed to be enforced by superintendents, little improvement was noticeable. Nor was this criticism unjustified. Many of the preachers were ignorant of the fundamental doctrines of Christianity, to say nothing of the points of doctrine so hotly disputed in the universities. It is illuminating in this respect to hear that as late as 1720 two pastors were found in East Prussia who did not possess a Bible and never had possessed one.[4]

The salaries of ministers were very inadequate for their position and often not enough to provide the necessaries of life. The secularization of church properties in the time of the Reformation, in Germany as elsewhere, enriched the no-

[3] Drews, 140.
[4] Drews, 89.

bility at the expense of the church. Besides this, the changes in the services resulting from the new doctrinal conception of the sacraments was accompanied by a decrease in the number of incidental fees, while those that remained were irregularly and uncertainly paid. The town pastors were better provided for, but those in the country had to eke out their very meagre salaries with the income from their own and their wives' labor in other employments. Teaching or tutoring was common among the educated. Manual labor of some sort, and generally farming, was resorted to by the others. Frequent complaints are found of their selling beer, the brewing of which was one of their special privileges, but the selling of which was practiced against the law. Even with the income from these secondary employments, which of course had to be pursued to the neglect of pastoral duties, they were often not able to live with as much comfort, or rather, lack of distress, as the peasants. Throughout the seventeenth and eighteenth centuries there was a constant demand for the betterment of these conditions, but it was not until the nineteenth century, after the Napoleonic wars had made the situation even worse, that it was taken in hand. Even yet there is much to be desired in this respect.

Another evil was the abuse of the patronage. "In this we touch a matter which has affected

the whole ministry until well into the nineteenth century, like a cancer (and is not yet eradicated). The practice which established itself actually corrupted the pastorate. It was ominous that in Protestant lands there was no superior ecclesiastical court to watch over the placing of ministers. Formerly this had lain to a large extent in the hands of the bishops who examined, approved and ordained the ministers, and so had it in their power to reject unsuitable candidates when they were presented by the patron. But the bishops did not come into the Reformation, and as the patronage was allowed to remain and no one had the courage to entrust the choice of a pastor to the individual congregations, the patron obtained an altogether extraordinary influence in the appointment of pastors—with evil results to the ministry. . . . It is the complaint of this early period, as of all following periods, that the patrons, who were for the most part uncultured and self-seeking nobles, often appointed men that were personally pleasing to them for some reason or other, but wholly useless as ministers. It happened not infrequently that a pastor was appointed for a set time, 'as when one hires a servant or maid,' and more often that the patron demanded a fee or made some other improper condition. The position occupied by the patron in the country and the mayor in the towns in relation to the pastors can be appreciated only

when it is remembered that they were the local magistrates, and had the administration and judiciary in their hands, that is to say, that they were little princes (Obrigkeit). . . . As every other prince they too ruled in the church. The pastors were their officials, whom they handled altogether arbitrarily."[5]

According to the symbols of the Lutheran church the congregations should have a voice in the choice of their pastor but except in rare instances this was not observed. Speaking generally, the law existed only on paper. The only limitation to the patron's power of choice and appointment was the licensing examination, and this was made of little or no effect by its being held not before but after presentation, and by the nature of the examination itself, which, especially for village pastors, was very perfunctory. A man that was presented by the patron in one way or another was sure of ordination and induction. It was only at the beginning of the nineteenth century that all candidates were required to sustain the examination before presentation. The candidate, after finishing his studies, might be teacher or private tutor or servant or groom, or do anything which would enable him to ingratiate himself with the patron. "When a student," says Schupp, one of the keenest observers and critics of the seventeenth cen-

[5] Drews, 40 f.

tury, "has spent all his patrimony at the universities and finally seeks a position and is unable to gild the palms of the patrons, he must make obeisance and doff his hat to some ink boiler, secretary or bootblack with the request that he announce him to his master—and then it runs 'Yes, domine Johannes, you shall have a place but you must marry Margaret my wife's maid!'" Schupp's words do not exaggerate. To the lesser nobility the country pastor was only a "Latinized peasant." A condition sometimes imposed was that the candidate marry the patron's mistress, and it was a recognized custom, approved by the church in the seventeenth and eighteenth centuries, that he be required to marry the widow of his predecessor.[6]

Sometimes the patron demanded a promise of obedience in all things, more generally of obedience in all secular matters. To what degree this was put to the test depended upon the respective qualities of the patron and the pastor. Especially in the period after the Thirty Years War, when the caste system became intensified as a sort of reflection in all the social strata of the absolutism of the monarch, instances are not lacking of the patron's ordering the time of the service to suit his drunken revels or requiring the pastor to excommunicate individuals that had fallen under his displeasure. If the pastor dis-

[6] Tholuck, 90, 94 f; Drews, 68, 122.

pleased in any way the patron simply locked the door of the church, or hunted him out of the parish. There were hundreds of such unfortunates wandering about the country. In behaving in such despotic fashion the squire was simply following the example of his lord. Sarcerius (+ 1559) was deprived of half of the churches under his supervision because he defended a pastor who had been dismissed by the prince and of the other half because he reproved a favorite court preacher for his evil life.[7] And the court preachers of Brunswick, at the dawn of the Enlightenment, were adjudged worthy of long imprisonment and exile because they objected to the conversion of a princess to the Roman Catholic faith on the occasion of her betrothal to an Austrian prince. At the same time Thomasius gave it as his official opinion[8] that a court preacher who exercised church discipline on the person of his prince or even threatened to do so was guilty of shameless disobedience. He was a subject of the prince in spiritual matters as in all else and dared not judge him even in the grossest sins.

Such being the general conditions under which the ministers had to live and work it is not surprising that a great number of them were wholly unfit for their sacred duties, and that they ac-

[7] RE, xvii, 486.
[8] Tholuck, ii, 96.

commodated themselves to the evils of the system. From the time of the Reformation to that of Schleiermacher the evidence of drunkenness and other sins of the flesh, of neglect of duty, of highmindedness, pride and dictatorial speech and manner is sufficiently definite and detailed to leave no doubt of the widespread corruption. Treated as peasants by their superiors they insisted on being treated as lords by their inferiors. Being placed in authority they took pride in their rank as "sixth or seventh class officials"[9] and behaved as other officials of the time.

Moreover, the ecclesiastical origin of their office encouraged them in self-esteem. Luther had regarded the pastor as merely the representative of the congregation, and the first Lutheran pastors were actually installed without ordination or any other churchly ceremony. As doubts were raised thereby in the minds of both pastors and people of the validity of such methods, a formal ordination with the laying on of hands was used as early as 1530. This, together with the administration of the sacraments and the absolution, which were entirely in the hands of the pastors, the monarchical government of the congregation committed to them, and the Lutheran doctrine of the Word brought in its train also the belief in the divine right of the ministry.

[9] Richter, *Geschichte der evangelischen Kirchenverfassung*, 246.

"The preaching office is the highest office, as much better than the civil office as the soul is better than the body." "The Holy Spirit works in the preaching office. Blasphemy against it is blasphemy against the Holy Ghost, an unpardonable sin."[10] This was the belief of the "orthodox" period.

Actuated by such a high conception of their office the pastors might have been expected to stand firmly for what they considered right, and so they did or at least attempted to. One of the saddest episodes in the history of the Lutheran church is the struggle between the pastors endeavoring to enforce discipline and the patrons and congregations resisting. The greater excommunication was taken out of the pastors' hands at an early date, but as a rule they were supposed to exercise the lesser excommunication, that is to say, to exclude sinners from the Lord's Supper and some other privileges. The incapacity of many of the pastors, the lack of any support or cooperation on the part of the congregation, the method of scolding and denouncing by name from the pulpit, the interference of the patron when he wished or of the superintendent, and the stolid resistance offered by the congregations made discipline little more than a scandal.

For the first hundred and fifty years after the

[10] Quoted from Drews, 51.

Reformation the position of the Lutheran pastor more nearly resembled that of his Roman Catholic predecessor than that of a Protestant minister as described by Luther. In respect to subordination to authority, authority over the congregation, and the emphasis laid upon the office rather than upon the man, there is little to distinguish the Lutheran from the Roman Catholic system.

It was Pietism that first offered effective criticism to this state of affairs and suggested a program of reform. The pastor should be above all things a winner of souls, not a mere official. The means to be used by him were not discipline, coercion and the formal use of the sacraments, but the example of a pure and holy life, personal intercourse with parishioners, pastoral visits, Bible classes, prayer meetings and other things of a like nature. The office of the preacher should yield to the Christian, and the outward forms and services of the church to the religion of the spirit. These ideas have been growing ever since the days of Spener, and have been very fruitful. The effect was felt immediately in some places, notably in Württemberg where the clergy organized themselves into groups, after the Calvinistic fashion, for the purpose of mutual edification and support. A higher standard of both scholarship and godliness than before was required of candidates in many places and

provision made for their better training. But the influence of Pietism was very restricted at first and soon had to yield before Rationalism, which also did its share in breaking down the "orthodox" theory of the preaching office. The preacher was so far from being a priest that he was only a teacher of morality and of religion, and as such should lay claim to no honors or privileges or rights which did not come to him as scholar and pedagogue.

Pietism and Rationalism together did much to change the conception of the minister's office and duties and to create a demand for good, well educated men, but they had no immediate effect upon the evils of patronage and of servility toward the state. Indeed, as we have seen, it was in the eighteenth century that the church became most completely incorporated in the state and the pastors less independent, if possible, than before, while the story of the introduction of the liturgy by Frederick William III sufficiently illustrates the lack of independence in the nineteenth century. That century saw many improvements. The pastors were better provided for, in the first place. Greater care was taken with their training and examinations. The choice of the patrons was limited to candidates already approved by the church courts. The breaking down of the caste system at the beginning of the century prepared the way for their taking the position

in society to which they were entitled by education and culture, if not by birth. And finally, and most important for the future, they were organized in synods where they could meet together and take counsel as brethren for their own good and the good of the church, and share in its government. The evils of the patronage still remain, though in a mitigated form, and there are indications that even these will soon be entirely removed. And in place of the patron, as pastors' assistants there is a body of elders, a presbytery, chosen indeed under restrictions that savor more of the state than the church, but nevertheless a representative body of laymen that may do much to remove the ancient deep seated distrust of the pastor and the church and to initiate such a congregational life as Luther had in mind in his "German Mass."

It is sad to think that the German pastor has had to wait until today for this. All the more so because the remedy lay ready to hand. For the immorality and servility, the claims of divine right and power over parishioners, the gross ignorance, vulgarity, ignobility and intolerance, and the contempt in which they were held, that characterized such a large proportion of the Lutheran clergy were almost entirely lacking in the Calvinistic churches to the west of them.[11] This was due in large measure to the system of

[11] Tholuck, i, 268 ff.

church government whereby laity and clergy worked together as brethren, both in the congregations and the higher courts, thus assuring a unity of will and action as well as controlling and supporting the individual by the strength of many. The consistorial courts in Germany were devised partly in order to protect the individual pastor from aggression, but they failed to do so. His isolation at the end of the eighteenth century was as complete as in the sixteenth, if not more so. In like manner the many laws and regulations issued from above respecting the educational qualifications and purity of life of candidates and ministres failed to have any appreciable effect. Some of the best German pastors knew the proper solution and advocated it. The establishment of clerical synods for purposes of edification was a success wherever tried, as in Hesse, and later in Württemberg, and the successful independent Lutheran churches in Silesia and the Rhine country certainly showed that their clergy needed no state supervision or control. But in spite of all these testimonies the German clergy have had to wait for their emancipation until the present day.

The evils of the state establishment appear even more deleterious when regarded from the standpoint of the people. The great outstanding fact in this respect is that the German Protestant church has never been the people's church. The

very thing which the state control was designed to bring about, namely, the Christianization of the people in the Protestant sense of the word, remains unaccomplished, and in its place there is and always has been a feeling of enmity among the masses toward the church as the instrument of the state, and a corresponding feeling among the religiously inclined that it could not satisfy their religious needs.

The reasons for this are not hard to find. The first and foremost was Luther's attitude toward the peasants and artisans in the Peasants' War. When he definitely sided with the princes, bidding them in God's name to "stab, beat and strangle," he lost the lower classes for the Reformation. The peasants and laboring classes, beaten into submission, and subjected to even greater abuses than before, had nothing but hatred for the person and teaching of the man whom they had called upon to champion their cause and who, though acknowledging the rightfulness of their claims, nevertheless sided with their oppressors. Moreover, when the new church was organized the people found themselves with no more religious or ecclesiastical liberty than before, and indeed, except for a few alterations in the liturgy and the condemnation of the pope from the pulpit, might have supposed that no change had taken place. In the Saxon visitation of 1527 many were found who

thought the difference between Protestant and Roman consisted solely in the use of wine in the Lord's Supper by the former. Attendance at church and sacrament and payment of altar fees and church dues were required as before, under pain of fine and imprisonment. Sins were confessed and absolution received in very much the same way, and, after a little, money payment could be substituted for penance. The minister was their rector or governor, as the Roman priest had been. Failure to obey him might bring in its train serious consequences. The superior courts, the consistories, bore strong resemblance to their Roman counterparts. There was even the same confusion of jurisdiction as before, but now both civil and ecclesiastical courts were the instruments of one and the same supreme authority. The common man rightly regarded his pastor as an officer of the government and the representative of law. More particularly, as the personal relations between them were predominantly of a disciplinary character, he regarded him as a penal officer,[12] and in this too he was right, for civil and ecclesiastical disciplines were not kept distinct in the German states.

It is not surprising, therefore, to learn that there was constant enmity between the people and their pastors during the "orthodox" period, though the length to which the peasants some-

[12] Richter, 200; Drews, 71.

times went in expressing their feelings is astounding. Not only did they interrupt the church services by whistling or shouting in the church or playing noisily in the adjacent graveyard, but they lay in wait for the pastor with axes, pitchforks and loaded guns, or threatened him with a dagger when he ventured to correct them.[13] What a fearful picture of the pastoral relationship is contained in the following abstract from a church record (1644):[14] "The following persons have persecuted me in my office and brought me near to destruction 'but God hath magnified me and delivered me out of their hands.' J. Dirkson hit me to the ground with a hay fork. I was carried into the house as dead but afterward recovered. Some years later he was stabbed and died in the street. J. Volkwartsen tried to kill me with my own spade. He was afterward killed by his own brother and buried by the south wall. Whither his soul is gone, God knows. P. Jensen tried to stab me in the sexton's house but M. Payens saved me. He went to sea and during a storm they threw him overboard. He tried to hold on with his hands but they cut them off. A. Frese, who committed adultery with my wife, went after me with a loaded gun. He was drowned in the sea. . . . D. Momsen broke two of my ribs on the

[13] Drews, 63 f.
[14] Quoted by Tholuck, i, 117.

right side. He did penance for it. How he has prospered since, experience teaches. I have forgiven him. O Jesus, do Thou protect me and Thy poor church that it may praise Thee to eternity."

It might have been expected that Pietism would bring about a better feeling by the new and more spiritual conception of pastoral duties it inculcated. But with the exception of Würtemberg, where the cordial cooperation of theological professors, superintendents and clergy made it possible to reach all classes of society except the nobility, this was not the case. One reason was that the size of the congregations often did not permit a pastor to come into personal relations with his parishioners. One pastor in Hamburg, feeling this keenly, applied to the University of Leipsig for an opinion as to whether he was the true and legitimate shepherd of his parish containing 30,000 souls when he did not and could not give them each his pastoral care. The answer he received was that 30,000 was certainly a great number, but the prophet Jonah had had over 120,000 in his parish in Nineveh and yet had given individual attention to each.[15] Another reason was that Pietism, at least in north Germany, was popular with the nobility and at court, and therefore proportionately unpopular with the lower classes. Fred-

[15] Tholuck, ii, 102.

erick William of Prussia, who was an ardent Calvinist, welcomed it and called Spener to Berlin because he saw in it something akin to his own ideals, by which he might eliminate some more of the remnants of popery from the all but universal Lutheranism of his territories, and induce the Lutheran clergy to adopt a more tolerant attitude toward Calvinism. Under such circumstances neither Lutheran pastors nor the mass of the people were likely to accept it, nor were they affected by it to any great extent. And in the third place, the strength of Pietism lay rather in the edification of the religiously inclined. Much time was given to Bible classes and prayer meetings and proportionately little to seeking the sinners that remained aloof from such things. Moreover, when the common people were affected by the religious principles of Pietism they showed everywhere an almost irresistible tendency to withdraw from the church. Altogether Pietism cannot be said to have reconciled the masses to the Establishment.

The period of Rationalism also brought no change in this respect, but rather additional proof, if that were needed, that the church was the servant of the state. More freedom of thought and liberty of action were allowed in religious and ecclesiastical matters. Indeed, no one seemed to care for the church's welfare in respect to these. But the pastor became all the

more the representative of the government in promulgating and enforcing laws of a purely worldly character. It is therefore not surprising to hear Schleiermacher, who was certainly well acquainted with the circumstances, declare in the early years of the nineteenth century that the common people did not feel at home in the church, but regarded it as a yoke imposed by an absolute military monarchy.

During the nineteenth century the parties were ranged differently, but the general situation remained unchanged. The abolition of serfdom and the removal of legal obstacles to the transition from one social class to another took away some of the causes of dissatisfaction among the peasants. The clergy too were no longer so dictatorial or objective in the treatment of their parishioners. There was a better class of preachers and, particularly toward the end of the century, more churches were erected, urban parishes were subdivided, pastoral attention was given to parishioners, and an attempt was made to win the people rather than drive them. This attempt, however, has not as yet succeeded. The concession of some liberty was followed, not by expressions of satisfaction and content, but by a more clearly expressed demand for other reforms in church, state and society. The shifting of the population from the country to the city, from the farm to the factory, enabled the discon-

tented to exchange views and organize as had never been possible before. And when the erection of representative assemblies occasioned the grouping of the people in parties it became evident that a very great number of them were opposed both to the church as the servant and tool of the state, and also to Christianity itself, which they had learned to know through the church, and which they judged by the church, as the French had done in the eighteenth century. The Social Democratic party is not today officially anti-Christian, but under the phrase "Religion belongs to the individual" ("Religion ist Privatsache") which they have adopted from Schleiermacher and interpreted to suit themselves, there is hidden an antagonism to the union of church and state, to the church itself and to any other religion than that of humanity. If the disestablishment of the church is brought about and its original freedom restored, it will in all likelihood not be because it asserts its own independence but because the mass of the people reject it today as they always have rejected it, and will no longer support an institution which, while claiming to proclaim the word of God, receives its orders from the state.

Another indication of the unpopularity of the church, which illustrates how it has been regarded as a religious institution rather than as an instrument of the state, is the constantly recurring

tendency toward separation from it in times of revival of religious interest. The ruthless persecution of all separatists under the name of Anabaptists after the Peasants' War was effective in driving out of the country or into hiding all attempts at the formation of religious communities or churches based simply upon the voluntary agreement of their members and the desire for kindred fellowship. Only the Mennonites and Schwenckfeldians and a few others maintained a precarious existence and served as gathering points for those who sought something more than was offered by the state church.

But when Pietism revived the interest in personal religion and rediscovered Luther's doctrine of the spiritual priesthood of all believers, separation became a really serious problem. In Württemberg, in spite of the friendlier disposition of the court and the clergy toward Pietism, many of the new converts were not satisfied that their private classes be allowed within the limits of the church, but demanded permission to withdraw entirely. After several refusals had failed to bring submission they were finally allowed to withdraw, in the middle of the eighteenth century. In other states where the same demand was made the opposition was so strong that the Pietists were forced to emigrate or continue their meetings secretly. The movement begun in this way was continued in the nineteenth century, and, especially after the right of such gatherings

was legally recognized, grew to large proportions, and is now known as the Community Movement.

Negatively, the members of the communities justify their separation by saying that the religious life of the state church is cold and formal, and that the congregations are spiritually dead. Those that have experienced the rebirth and received the Christians' call to service cannot be content to sit under a minister who shows no sign of conversion, to be associated with purely worldly people in the formal worship of God, or to be the passive objects of the church's activity. Positively they appeal to Luther's statement in the "German Mass" that those that are serious in their profession of Christianity must voluntarily come together for prayer, reading, the administration of the sacraments and the performance of other Christian works, and to the inner necessity that drives a Christian to seek fellowship with others of like mind and to carry his Christianity into all he does. "A converted man feels the irrepressible necessity of communion with similarly minded men, that is, with people which have come through or do come through a like moral and religious inward experience, a communion with brethren and sisters who sustain, foster, protect, cherish, encourage and cheer him."[16]

[16] Kuhn, *Das christliche Gemeinschaftswesen*, 15, quoted in RE, xxiii, 529.

Within the communities is to be found the excessive emotionalism with which we are acquainted in Great Britain and America. Indeed there has not been a "revival" in the English speaking world during the last century which has not found its echo there, or an excess which was not duplicated, from the "gifts" of Irving to the "speaking with tongues" which originated in Kansas a few years ago. This, however, while denoting a peculiarity of the communities, by no means may be taken as descriptive or indicative of their whole character. They resemble rather the associations formed within our own congregations for the various departments of Christian work, which indeed is only natural for the incitement has come largely from America. They own their own halls, maintain training houses for missionaries, deaconesses, etc., engage in evangelistic work, distribute Christian literature, publish magazines, plan and carry out campaigns against particular evils, support home and foreign missions, conduct Bible classes and prayer meetings, organize special societies of Christian bakers, butchers, hotel keepers, etc., and, in general, endeavor in every way they can to deepen the Christian consciousness and apply their Christianity to the world about them.

Since about 1890 the attempt had been made with some success to draw the many communities into closer relationship with one an-

other, and also to overcome the hostility toward the established churches. Conferences are held annually, attended by both lay and clerical delegates from all parts of the empire and Austria, and although many of the older communities still hold back, the way is thus being prepared for a German national free church.

It is impossible to ascertain the number of individuals interested or even the number of the communities.[17] In Württemberg alone where they have taken deepest root there are about a thousand communities. In East Prussia a union organized in 1903 had grown in ten years to fifty communities, owned nine halls and supported twelve evangelists, one deaconess and two foreign missionaries. Something similar is going on in every state in Germany. Altogether, in spite of blemishes, this is one of the brightest pages in the history of German Protestantism, and makes one regret all the more that these forces now slowly and with difficulty coming to self-expression could not have been released long ago in such fashion that piety and zeal might have been joined with learning and wisdom, and the church united rather than divided by the determination of those that took their Christianity seriously to meet together for prayer and reading the Scriptures and performing other Christian works.

[17] The figures are from RE, xxiii, 542 ff.

CHAPTER VIII

Other Effects of the Territorial System

Just as the importance of the congregational organization and discipline in the Calvinistic churches for the later political and moral development of the countries where they were established cannot be overestimated, so too the failure of the Lutheran church to follow the suggestions of its founder in this respect, and the continuation of the monarchical priestly system played a large part in determining the political and moral condition of Germany. It is quite usual for German scholars even today to criticise the arrangements in Geneva as harsh, cruel and almost inhuman, and something similar may be found even in English and American books.

The correct explanation of the German attitude is doubtless that it is a remnant of the traditional "orthodox" hatred of Calvinism and everything associated with the name of Zwingli or Calvin. Certainly it cannot be truthfully asserted that the German reformers or princes were one whit behind the Swiss in their desire to enforce disciplinary measures, or in their conception of the extent to which discipline should

be carried into the private affairs and lives of the citizens. Luther's "Address to the German Nobility" clearly shows his position, and the detailed regulations of the church Ordinances[1] reveal to what extent the authorities were willing to interfere. If more proof were needed it might be found in the lament of many good Lutheran ministers that church discipline in Germany fell short of that in France and Switzerland and in the personal supervision exercised by the German police state. The outstanding difference between the Calvinistic system and the Lutheran consists simply in the fact that the former was successful and the latter was not.

The cause of this success was that the Calvinistic system was in agreement with and founded upon the Protestant doctrine of the priesthood of all believers and that the people responded to the challenge of personal direct responsibility to God. For the Calvinistic system was not, either in Geneva, France or elsewhere, a tyranny as it is so often misrepresented to have been, but directly the contrary. It was government by a committee of the best and most highly respected members of the congregation chosen by the congregation, with whom was associated the pastor who was also chosen by the congregation. In this way every member of the church was allowed and encouraged to participate directly and in-

[1] Sehling, *Kirchenordnungen, passim.*

directly in the affairs of the church, and no distinction of birth, position or spiritual superiority was recognized. The elders were brethren rather than judges and the minister was pastor rather than rector. There was nothing sacerdotal or savoring of sacerdotalism in the treatment of sin and forgiveness, and nothing despotic in the exercise of discipline. The regulations governing the life of the members had the approval of the congregation, and were enforced by men having its confidence. The object of discipline was to arouse and maintain a sense of duty and responsibility before God in every individual, to admonish in brotherly manner those that erred and in the case of unrepentant sinners to exclude them from the sacraments and the church. The confusion of the civil and spiritual jurisdiction in Geneva, Scotland, New England and elsewhere, the apparent triviality of some offences and the character of some of the punishments inflicted are repulsive to the mind of the nineteenth and twentieth centuries; but these things were characteristic of the time and not of Calvinism.

It was a strenuous and exceptional age in which right and wrong were grappling with peculiar ferocity for the mastery and when exceptional measures were needed. We today, who live in a similarly strenuous time when extraordinary laws and measures are being taken in the defence of high ideals, are in a better position to

view sympathetically the struggle of four centuries ago than were our fathers. At all events, whatever imperfection there may have been in it, there is no doubt that the Calvinistic system with its emphasis upon the direct responsibility of the individual to God and government by a committee of the best men, without regard to birth or rank or any other earthly qualification, was the best that had ever been devised and the most productive of good.

The Lutheran system cultivated the idea that religion and morality were imposed from above, that they could be cared for like sanitation and education, and that it was the sole duty of the layman to obey. The importance of this in the education and development of the people cannot be exaggerated. It lay, and to some extent still lies, at the basis of German thought and German institutions. The German was not encouraged to judge of doctrine though it was enjoined by Luther and the symbols, nor was he even allowed to do so. That was imposed by the prince. The custom of confession and absolution and the belief that the Lord's Supper wrought forgiveness of sins continued the Roman Catholic idea of a human mediator and an opus operatum sacrament. The individual was not brought face to face with God but with a pastor for whom he often had no respect. He did not think of sin as a condition but as an act. The original Luth-

eran view of grace was modified to permit the retention of the idea that a bad deed could be balanced by a good one; while the confusion of civil and spiritual faults, the payment of a penance fee, the permission to substitute a money payment or fine for penance or correction,[2] and the comparative immunity of the upper classes from discipline—all these things permitted and encouraged a purely human and superficial estimate of sin and morality. What a perversion is to be seen in the action of young people in throwing down their penance fee and *demanding* absolution before the communion service, and what a sad confession in the wonder expressed by Spener's brother-in-law Stoll,[3] that the Calvinists exercised discipline without respect to persons. The introduction of the naturalistic philosophy was followed in the eighteenth century by the release of both princes and state officials from church discipline, and what are we to think of the morality of an opinion written by Faculty of Law of Halle University and worded by the great Thomasius:[4] "The aversion to concubines of great princes and lords must cease. For such princes and lords are not subject to the penal laws applicable to private persons but have to give an account to God alone; and in

[2] Richter, 229; Drews, *Der evangelische Geistliche,* 112.
[3] Tholuck, ii, 236.
[4] Tholuck, ii, 195.

addition part of the splendeur of her lover appears to be transferred to the concubine." When gross sin in high places could be trifled with in this way it is no wonder that the lower classes allowed themselves license. The whole system was contrary to Luther's conception of Christian freedom and allowed no opportunity for the individual to rise to its heights. The German layman was simply the object of the church's activity. He was not encouraged to cultivate self-responsibility, self-examination, self-restraint, self-respect and independentmindedness. The people were also debarred from participation in congregational meetings and church councils and so felt no responsibility in church matters. By this they were not only deprived of their rights as Protestants as defined by Luther, but also lacked the training which comes from sitting at the council board sharing responsibility with others, while the church and the country in general did not know that all pervasive activity and voluntary cooperation which was so fruitful in Calvinistic churches and lands.

The extreme intolerance which characterized the Lutheran church is doubtless to be connected with this. For while the Calvinistic churches were not free from blame in this respect, they never unchurched the other great branches of Christendom, nor hid behind the high wall of their own particularism as Lutheranism did.

The efforts of the Calvinists to effect an understanding were not only spurned but interpreted as a confession of weakness and heresy, and it will always be remembered as peculiarly characteristic of Lutheranism that it objected to the reception of Huguenot fugitives and under the leadership of Saxony opposed the extension of the benefits of the Treaty of Westphalia to Calvinists.

Everything was conceived from the standpoint of unity, absolutism and perfection, we might almost say infallibility. It throws a remarkable light on the condition of thought to learn that one objection urged against the Calvinistic form of church government was that it required majority rule and majorities are likely to err.[5] The Germans had no experimental knowledge of nor faith in that method of reaching decisions and assuring united action. They had not the training at the council board which teaches the individual the necessity of listening to opinions other than his own, of voluntarily subordinating his own will to that of others, of throwing his own ideas into the common pot, of putting himself in the position of others and seeing things from the standpoint of others. In short, they did not learn toleration either in religion or anything else. They did not have any opportunity to learn cooperation or to feel the power there is

[5] Richter, 189.

in union, or the strength that comes from sympathy. They did not even have the opportunity to exchange opinions, so closely were all gatherings, religious or otherwise, supervised by the authorities. Sane public opinion can come only from a people trained in self-criticism and self-restraint, and it can make itself felt only when the people are conscious of their agreement. The conditions for the formation of healthy and effective public opinion have been absent from Germany largely because the people were deprived of their privileges as Protestants.

This lack of a high sense of individual responsibility and mutual support has borne its evil fruits all through the centuries. That the demoralization incident to the Thirty Years War would have been mitigated by their presence and operation is evident from the better condition in Hesse where the church was organized at this time on a synodical basis, and from the experience in Calw where the pastor Andrea gathered about him a committee of laymen for the maintenance of discipline[6] and the cultivation of true religion in imitation of what he had observed in Geneva. When the principles of natural law, the rights of man and the "Social Contract" were introduced they won a hearing only in the university circles, where they were developed not in the

[6] Drews, 78 f., 89; Ritschl, *Geschichte des Pietismus*, iii, 3 ff.

interests of political and religious freedom but in those of the absolute state. The demoralization which followed the military defeat in the Napoleonic war showed how quickly a nation could fall to pieces that had been organized ever so well as a military monarchy with its wisdom and will centred in the head. The reformer Stein perceived this and made plans for the freeing of the people and the restoration of self-government to the churches and the towns, in order that the interest of all classes should be enlisted and their powers utilized for the salvation of the fatherland. But when the immediate danger was past the reforms came to an end and things reverted to their old course. The only effectual expression of opinion by the people of Germany in political matters was that of 1848, and even this failed of any real result. There has been no effectual expression of opinion in the church.

This is a condition of affairs that requires the most careful consideration. How did it happen that wherever Calvinism established itself absolute monarchy had to yield before it almost immediately as in Scotland and England or fight it to the death as in France, and that where the sister Protestant church of Lutheranism was established, absolute monarchy was introduced and has persisted longer than anywhere else in western Christendom? It is not because Calvinism had everywhere to make its way against monarchs

of another faith while the German princes were members of the Lutheran church, for there was no more discrepancy between the religious faith of the Stuarts and their people than between the German princes, who could be Calvinists or adherents of any one of several schools of Lutheranism, and their subjects. Nor can it be attributed to a lack of training in self-government. The free towns, the village local government and the organization of the trades had prepared the way. For it is to be remembered that the establishment of the absolute and bureaucratic state belongs to the seventeenth and eighteenth centuries, not to the sixteenth. The brutal suppression of the people in the Peasants' War and the fear of similar punishment doubtless acted as a restraining influence on the mind of the masses at first, and the official supervision of all public and private assemblies rendered it both difficult and dangerous to plan anything or even to exchange opinions at a later date. But even these would not have been sufficient to hold in check a serious minded people determined to achieve freedom. The answer must be sought not so much in the form of the state as in the minds of the people, and must account not only for the continuance of the absolute monarchy but also for its rise.

One powerful influence was undoubtedly the doctrine of the divine right of the princes. This

goes back to Luther and has always had the support of his great name. In his first appeal to the nobility, in 1520, the intervention of the secular arm in matters formerly pertaining to the church was justified mainly by the doctrine of the universal priesthood of believers, which placed all Christian laymen on an equality with the clergy, and distributed the powers formerly properly exercised by the hierarchy to the members of the church. Two years later he developed in sermons the doctrine of the divine appointment of the secular rulers, and in 1523 reduced it to systematic form in the treatise on "The Secular Authority, to What Extent Does One Owe it Obedience." In this he proves from the Old and New Testaments that princes are ordained of God and have power under God over the bodies and worldly goods of their subjects. It is their duty to maintain order and to punish evil. In respect to all matters pertaining to these, unconditional obedience to them is enjoined by God. In matters pertaining to faith and salvation they have no authority. If they attempt to use force their subjects should refuse obedience, for God is to be obeyed rather than men. They should not, however, resist forcibly but rather suffer patiently and leave the punishment of the tyrants to God. Three years later Luther looked back upon this argument with satisfaction, saying that since the days of the Apostles no one had written

so clearly of the secular sword and authority or apprized it so highly as he.[7] But when the imperial Recess of Spires in 1529 seemed to endanger the life of Protestantism unless armed resistance were opposed to the emperor the question of the legality of such resistance was forced upon him from a new direction, with the result that he declared[8] it to be right to withstand the civil ruler if he overstepped the bounds of law. Whether he did so was to be determined by lawyers and not by theologians. A few years later, 1539, he declared that[9] "as the Gospel confirmed the office of the civil ruler so also it confirmed natural and legal rights, and it is beyond doubt that every father is in duty bound to defend wife and child against open murder with all the means at his disposal; and there is no difference between a private murderer and the emperor, if he goes beyond the limits of his office in the exercise of power unjustly, and especially if he does so openly and notoriously. For open violence abrogates all the duties binding subjects and sovereigns by the law of nature."

But while such occasional utterances as these make it possible to claim Luther as one of the exponents of the right of resistance, and might have been appealed to by a suffering and rebel-

[7] In 1526. WA, xix, 625.
[8] DeWette, *Luthers Briefe*, iv, 222.
[9] DeWette, v, 161; vi, 223; RE, xi, 743.

lious people, they have had little if any effect upon German thought as a whole. Luther's teaching and example after the Peasants' War were predominatingly in favor of subjecting not only body and goods but also the church to the civil power ordained of God, whose duty to keep peace and prevent disturbance was used as justification for interference in matters which according to Luther's earlier views lay outside his jurisdiction. What was thus begun under the Reformer was carried to rapid conclusion after his death, with the result that the princes ruled over both church and state in the name and place of God. It would be too much to say that the doctrine of the divine right of kings has remained unchallenged through the centuries. The philosophy of the Enlightenment and the Social Contract theory know nothing of divine sanctions. But it has always been impressed upon the minds of the common people, and found champions in learned circles in the nineteenth century as in the sixteenth. It has always been and remains even to this day one of the strongest weapons of the monarchy.

The reverse of the doctrine of divine right of kings, namely, that of non-resistance, has been of even greater importance in keeping the people submissive. Luther's words were normative in regard to this also. Evil and injustice in the civil authority do not excuse uproar and rebel-

lion,[10] "For it is not given to everyone to punish evil, but to the civil authorities which wield the sword. As St. Paul, Rom. xiii, and St. Peter, I Pet. iii, say, they are ordained of God for the punishment of evil doers. It is the law of nature and of all the world that no one shall or may be his own judge or avenge himself." Following this it has been consistently inculcated by the German pastors that any rebellion against the state is sin no matter how tyrannous or unjust the government may be; though there is a difference of opinion among theoreticians as to whether rebellion is ever justified, some holding that it is under no circumstances permissible,[11] and others that it is justified only when the national existence is at stake, as in the case of the Netherlands and Spain. In any case, the German Christians have been taught that nothing would excuse their rising against their rulers but that it was both a Christian duty and a Christian virtue to submit and if necessary to suffer under tyrannous and oppressive measures.

But although the doctrines of the divine right of princes and of non-resistance may account for a great deal, they do not explain why Lutheran-

[10] In 1525. WA, xviii, 303.

[11] Even Schleiermacher says in his *Sittenlehre*, 253, "With the greatest inclusiveness we must say that it is not possible to think of a case in which a Christian may oppose or escape punishment even if . . . it be imposed with the greatest injustice."

ism and Calvinism moved in diametrically different directions in regard to the relation of church and state, for the teachings of Calvin in regard to both were practically identical with those of Luther. The real reason must be sought somewhere else. The chief reason is that when Luther declared the people unfit as yet to be trusted with the regulation and management of their church, Lutheranism ceased to inculcate the essentially Protestant ideas of direct individual responsibility to God and the personal call to duty, and substituted for it in practice if not in theory the ideas of submission on the one hand and of authority and priestly mediation on the other, both of which were essentially mediaeval and Roman. Upon these as a foundation there grew up the divinely ordained church-state, organized from above down, and exercising supreme authority in both the religious and the political spheres, a condition unparalleled in western Europe either before or after the Reformation.[12] "In the conflict between Rome and the Gospel the secular ruler won immeasurably, not only in property but in privileges, not only in independence and self-consciousness but in duties. The whole complement of prerogatives and privileges with which the church had penetrated into the sphere of the civil authority, and

[12] Droysen, *Geschichte der preuszischen Politik*, 2nd edition, ii, 260.

which it had organized into a scheme, was actually and theoretically, by the new doctrine, taken from her and transferred to the civil ruler. It fell to him to take her place and keep it in the future."

In Roman Catholic countries the mutually antagonistic claims of church and state have held both in check and prevented the centralization of all power in the hands of either, and in Calvinistic countries the people themselves have seized the government and made all tyranny impossible, whether ecclesiastical or political. For John Calvin, although teaching the divine right of kings and the duty of non-resistance, included and retained within his system the idea, which, however unconscious he may have been of the fact, was incompatible with submission and tyranny, namely the divine duty of the individual Christian to exercise his religion both in worship and in all the affairs of life, and his immediate responsibility before God for the performance of this duty. The Calvinistic system as it developed was based on this. Neither in government, in sacraments nor in morality did it encourage the idea of a priestly mediator or rector of souls. It brought every man face to face with God, first as a sinner, then as saved by the grace of God in Christ, and then as the Christian servant of God called to do His work. Beside the divine right of kings stood the divine right and calling

of every Christian, and between the two there was bound to come a trial of strength. With the head of the man Charles Stuart fell the doctrine of divine right of kings in Calvinistic countries. This was the spirit which animated the early Calvinists in France, Holland, Great Britain and America; and this was the real driving power behind their efforts to secure liberty. The appeal to natural law was only secondary and did not come until after the Huguenot wars had already begun. Whether it was occasioned by the desire to justify themselves in seizing arms[13] contrary to Calvin's teaching, or was an attempt to put political rebellion upon a broader basis than that of religion and so to justify it for others than Christians, is immaterial. We feel all through the struggle that it is not the human and natural motives that are compelling but the religious and Christian.[14]

It was only when the ancient philosophical doctrine of natural rights was shot through with the principles of Christianity that it was able to leave the academic halls and express itself in the

[13] Cardauns, *Die Lehre vom Widerstandsrecht des Volks gegen die rechtmässige Obrigkeit im Luthertum und im Calvinismus des sechszehnten Jahrhunderts,* 1903. In the *Princeton Theological Review,* vii, 2 (April, 1909), Professor A. Lang quite properly points out the non-protestant character of the revival of Natural Law in the seventeenth and eighteenth centuries.

[14] Gooch, *The History of English Democratic Ideas in the Seventeenth Century,* 1898.

life of the Calvinistic nations in the sixteenth and seventeenth centuries. Since that time, more or less independently of its great ally it has been successful in reforming the institutions of other peoples also. Curiously enough it has found its way into Roman Catholic countries where it had been taught by the church in order to discredit human institutions in favor of the divine institution of the papacy, and naturally it has had most difficulty in making headway in Germany, where the prince united in himself the whole power of church and state and fortified his position by an appeal both to divine law and to the law of nature. In this respect England exhibits a curiously striking parallel and an equally striking contrast to Germany. In the introduction of Protestantism by the princes, the control of the established church by the state, the subserviency of the clergy, the doctrine of the divine right of kings and its counterpart non-resistance, the alliance of the church and the aristocracy, the evils of patronage, the claim to divine right by some of the clergy, the exclusion of the lay element from church councils, the insistence on uniformity in matters of ritual, the comparative disregard of dogma or latitudinarianism, the devotion to a church manual rather than to the Bible, the superciliousness toward other Christian sects, and the failure to reach or to hold the common people—in all these matters there is a strong simi-

larity between the established churches of England and Germany, which might profitably be more thoroughly investigated. The outstanding points of difference are that in England the principles of the Reformation took hold upon a considerable portion of the people in the early seventeenth century, and were worked at that time into the political and religious life of the country, where they have continued to live and thrive although sometimes embarrassed in their struggle for existence. A large proportion of the Church of England has always been Protestant, and the common people have found a religious home in the non-conforming churches, which, although denied full liberty by the law and condemned socially, have enjoyed the right of existence since the seventeenth century, and have played an ever increasing part in the political and religious life of the kingdom, and may today claim to be more representative of the English people and more influential than the established church itself. Germany on the contrary has no "non-conforming conscience" to criticise or guide her. Her non-conforming churches are of very recent origin and count among their members less than one per cent of the population.

For there is nothing in Germany parallel to the struggles for freedom in the sixteenth and seventeenth centuries. After the Peasants' War

for a hundred and fifty years the people were an entirely negligible quantity in the government of church and state. Instead of asserting new rights they lost what they had, and the absolute state emerged victorious and unchallenged after the ravages of the Thirty Years War. Pietism attempted to revive the Lutheran doctrine of the priesthood of all believers and call them to service, but found itself antagonized by the "orthodox" church and forced for the most part into the narrow and devious paths of emotionalism. The doctrine of the rights of man came to Germany through the naturalism of the eighteenth century and the French Revolution. It was but an echo of a great idea, a subject for the lecture hall and drawing room. Not until it had swept over western Europe in three successive waves did it at last find a lodging and then only temporarily in the heart of Germany—Prussia. It lacked entirely any divine element or anything that appealed to the nobler instincts, and allied itself with the existing monarchy which it strengthened in its control of both church and state, and transformed to a purely natural, human, self-centred and self-determining unreligious absolutism. Says Richter[15] speaking of its first appearance in the eighteenth century and thinking of the scenes of 1848 of which he was an eye witness: "The divine foundation of the

[15] P. 247.

church was gone and in its place stood the worldly theory of the social contract, upon which was erected a system of *natural* church law, equally applicable to all religious associations without distinction. . . . This had a very marked influence upon the mental attitude of the members of the church. For since it preached the sovereignty of the association and made the will of the individual members the determining principle, it thereby cultivated an antagonism to the existing law, which in so many respects was in direct contradiction to its presuppositions, and prepared the way for the movement of a later time which endeavored to destroy the institution of the church and to establish a constitution in which there was no place for the words service, duty and discipline." To which may be added a quotation from Petri,[16] pastor in Hanover, who while looking forward with hope to the introduction of a more liberal constitution feared the result of the application of the purely human philosophy by which it was supported:

"Whether justice and law in their own form and constitution will be the same for all, protecting impartially and without exception the rights of all, the prince upon his throne as the citizen in his business, and avenging every evil deed, or whether they will be merely the sharp sword with which the frightful spirit of party anger arms

[16] Schubert, 102.

itself against life and its rights—whether, that is to say, the noble, holy and blessed freedom will stretch out her life giving sceptre over our beloved Germany, or a frenzied destructive passion sweep through the unhappy land, and then tyranny with its leaden weight crush all independent life, this will depend on which way to freedom we choose. . . . The idea that a nation is its own source of right, if that means that a nation, or those that call themselves by this name, determine what is right of their own free will and define the guarantees of right entirely of their own free will, is certainly wrong. Just as the individual is not the source of right for himself but dependent in his conscience on God and responsible to Him, to this same God on whom the individual is dependent, nations also are dependent. Oh, let it be graved deeply in our souls that true freedom is to be found only where man is conscientiously subject to human ordinances for the Lord's sake."

The first half of the nineteenth century saw the return of the religious note into the government, but not the expulsion of natural law or its companion absolutism. The latter part of the nineteenth century and the early years of the twentieth have witnessed natural law with its emphasis upon the rights of man, and a freer Christianity with its emphasis upon service, confusedly working together for the overthrow of

the absolutism which is felt as a drag in both church and state. The voice of the people can now make itself heard in diets and synods, and doubtless will be more audible in the future. But neither in religious nor political matters have the German people as yet advanced far beyond the idea of their rights under the law of nature and this alone goes a long way toward explaining why the establishment of more liberal institutions has been so long delayed. Only when they feel it to be a moral duty will they vindicate for themselves the liberties of which they have talked so long.

It is impossible that the religion and freedom of the German churches have been so dominated and controlled by the state without leaving a very marked impress upon the whole tone of the religious life, thought and endeavor. Some years ago Professor Max Weber[17] and, building upon his conclusions, Professor Troeltsch,[18] pointed out the different qualities of Lutheranism and Calvinism respectively and attempted to evaluate them for the modern world. Both are characterized by what they call an innerweltliche Askese, or an asceticism practiced not in cloisters but in the daily life of the world. Behind it lies

[17] *Die protestantische Ethik und der Geist des Kapitalismus, Archiv fur Socialwissenschaft,* Bde. xx, xxi, xxx, xxxi.

[18] *Protestantism and Progress,* English translation, 1912; *Kultur der Gegenwart,* Teil I, Abteilung 4, ii.

the consciousness of sin and salvation, of the contrast between this life and the life to come, but in its practical application it takes different forms in the two communions. Calvinism looks out upon the world as a field of labor which it is bound to reduce to order and obedience to divine law. It is aggressive, orderly, lacking in mere sentiment and emotion, restrained and disciplined and for this reason has become and remains the carrier of modern civilization. Lutheranism on the other hand looks inward, is idealistic, neither rationalized nor disciplined. It is a "tone and temper of mind," "reluctant to take an active part in the world." It is "mainly a mere endurance and toleration of the world, which does not exclude, indeed, on occasion a thankful and obedient joy, but is nevertheless essentially a self-abnegation and submission, a transference of all hope to the blessed world of the hereafter, and a rejoicing in martyrdom in this world."[19] Its part, therefore, in the economic development of the modern world is negligible.

After what we have seen of the history of the German church could anything different have been expected? When has genuine Lutheranism been given an opportunity to work itself out in Germany, and when has it not had cause to withdraw to the secret recesses of its own heart and there take comfort for the oppression under

[19] *Protestantism and Progress*, 82 f.

which it groaned? Luther's words,[20] "Suffering, suffering, cross, cross, these and nothing else are the rights of Christians," found an echo in many pious hearts. Says one of the best village pastors of the eighteenth century: "If a man beats his dog the whole day it will run away and seek another master that will treat it better. Now every one beats the common people. The duke beats them, the soldiers beat them, the huntsmen beat them. This they will not endure, but run away and seek another master, namely, Christ; and he who seeks Christ is a pietist." Quoting this passage Ritschl[21] has pointed out that the political conditions in Württemberg in the time of Pietism were such as to occasion the cultivation of a religion of the heart, a turning inward to escape the conditions without, and the earnest desire for the sympathy and companionship of likeminded sufferers. Cannot the same be said of the conditions in Germany generally since the Peasants' War? And is not the modern "Community Movement" sufficient proof of its existence today?

In this condition, however, we should see more than an occasion of sympathy. There is an element of danger in it. Persecution and fanaticism have gone hand in hand through the history of the church, and indeed of the world. Relig-

[20] WA, xviii, 310.
[21] *Geschichte des Pietismus*, ii, 8.

iously minded men and women, rejected by those from whom they have a right to expect sympathy and support, excluded from the church and made the object of the state's most careful supervision, may be expected to nurse their grievances carefully, to find solace in the cultivation of the feelings, and to identify religion with emotionalism. That this took place in the eighteenth century and continues until today there is no doubt. That it is more or less characteristic of all German piety is equally true, as Weber and Troeltsch assert. Mysticism has found its Protestant home in Lutheran lands. During the last hundred years, moreover, the theology of the emotions has not been confined to the Separatists, Mystics and Pietists, properly so called, but fortified by both the newer Pietism and the requirements of the state-church it has advanced to the conquest of the universities and the church, and spread its influence far beyond the limits of Germany.

For it was Pietism with its appeal to the religious feelings rather than the reactionary revival of strict Lutheranism which gained the good will of all classes of church members after the rationalism and naturalism of the eighteenth century were discredited, and the old orthodoxy dead. The feelings were declared to be the court of last resort in religion, and the religion of feeling to be sufficient in itself, independent of his-

tory, philosophy, science and indeed of any and every objective test or restriction. Earlier writers like Schleiermacher retained, it is true, more or less of the old theology, but the logic of the premises demanded that this be discarded and that the religious feeling of the individual or the community be regarded as both the testing ground of religious truth and the source of religious knowledge.[22]

Parallel with this is the endeavor of the state to make of the church such an institution as will include all its citizens. For, however short it may come of realization, it is inherent in the idea of a state church, that is to say, of a people which regarded from the civil point of view are members of the state, and from the religious point of view are members of the church, that dogma must be put, if possible, upon such a plane that no one can reasonably object to it. The policy of the Prussian rulers has been actuated by some such motive. The points of dispute between Lutherans and Calvinists were suppressed and discussion forbidden. The preparation of a new creed was not allowed. The Augsburg Confession, the oldest, simplest and apparently least likely to cause discussion, was declared normative for the clergy and little was said even of this. All that was required of the laity was that they be

[22] The development is sketched in Professor McGiffert's *The Rise of Modern Religious Ideas,* 1915.

born in the church and obey orders. Today the Evangelical Church in Germany may include in its ministry men of every shade of belief from the most conservative and reactionary Lutheran to the advanced theologian who denies all authority of church, Bible or creeds, denies in toto the story of our Lord's life as recorded in the Gospels, yes, who denies even the very existence of Jesus and places Nietzsche's "Zarathustra" beside the Bible.[23] In effect, the state-church says to its members: believe what you will, everything or nothing, only don't leave me. What theology, what conception of religion and religious truth could suit such a situation so well as that which tells the Christian man and Christian community that they are to find their creed within their own hearts, and that there is no higher or other test of religious truth, no other point from which they may draw religious knowledge than their own emotions? The fact is that much modern German theology is not theology at all but psychology, and that in it there is ascribed to the human mind in the sphere of religion a creative power which is defensible only on the basis of thoroughgoing subjective idealism. It would not be fair to say individualistic subjective idealism, for adhering to the early Christian or the Collegiate idea of the congregation as the unit, the source and test of religious

[23] This was true in the case of Kalthoff, RE, xxiii, 724.

truth is said to be not the individual but the communal consciousness. In this way religion becomes Privatsache (a private matter) in a sense unknown to Luther, the early Pietists or even Schleiermacher—independent of all authority, of history, of science, of philosophy, independent even of the existence of external realities corresponding to religious ideas. In other words, it is reduced to the one element of subjective assurance. And in carrying it to this extreme Troeltsch claims[24] to be essentially in agreement with Luther.

But this is not all, it is but a step to the next and last deduction that the Christian consciousness, the purposeful conviction or assurance of the individual and the community is not only the source and test of religious truth, but its creator and determiner. That is to say, that men or communities or nations create their own God, who has no necessary self-existence, no objective reality, but is none the less really and validly God. And thus some German theologians have returned consciously, and so with less excuse than more primitive peoples, to the anthropomorphic tribal God. One would not dare to make this assertion unless he were prepared to support it with evidence of the event. A pastor in Holstein preaching before his congregation two years ago

[24] *Protestantism and Progress,* 197.

said:[25] "God is nothing but our moral activity, our honest and just dealings, the ultimate and deepest motive of our life struggle. God lives in our hearts. And all our prayers are a deep and confident faith in the victory of the eternal and divine order of things. Thus victory is achieved by a nation from whose soul the prayer incessantly arises, pure and pious, humble and trustful: 'God is our help!' Aye, verily, God as the last, the deepest, the inmost foundation of our soul, as the purity and truth in our feelings, as the righteousness and honesty in our actions, as the moral necessity of our struggle, that God, as in this war only we Germans can possess Him, that German God is our best and strongest help."

In this way the "German God" is shown to be not the blasphemous product of pride but the logical outcome of a century of German theological thought, conditioned by the suppression of Christian liberty and the policy of the church-state. It is, however, the reductio ad absurdum and will work its own cure. German Christians will be the first to repudiate it. There have been signs too for some time that even in academic circles the subjective theology was not found wholly satisfactory. And it may be expected that the recent cataclysm may have so clearly re-

[25] Pastor W. Lehmann as quoted by Professor J. P. Bang, *Hurrah and Hallelujah,* English translation, 88.

vealed the abyss before which they stood that they will be brought to realize that the Gospel is both simpler and deeper than their self-evolved conception of it, that its doctrines are positive, objective and authoritative, and that whatever be the necessities of political and social life there is not room for the disciple of Jesus Christ and the disciple of Nietzsche at the same communion table.

In conclusion let us set over against each other two ideals now battling with each other in Germany, the one striving for the continuance of the present union of church and state, the other for its dissolution. Says Rieker,[26] "The church had been governed absolutely by the territorial prince, but that had done it no harm. For the state as such had an evangelical character and therefore the prince had no reasonable ground for injuring his evangelical church." "So long as the state regards it as its duty to serve the interests of the Gospel, so long as the secular authority remains a Christian authority and protects and cherishes the evangelical church with its strong arm, the church may calmly trust herself to it." "Luther has expressed the Protestant ideal of the relation of church and state in the words, 'Christ has not two bodies or two kinds of body, one worldly, the other spiritual: there is one Head and He has one body.'"

[26] Pp. 370, 482, 484.

Over against this we may set the words of one of the keenest modern critics of Luther:[27] "There is nothing falser than the statement that the so-called territorial church government corresponds most closely to Luther's ideals. It can be maintained, on the contrary, that the territorial church government, in so far as it really is a government, as its name implies, is in direct contradiction to Luther's fundamental conception of religion."

And to this let us add the appeal of Professor Otto Mayer[28] for the liberation of the church: "The road is indicated and laid out. External obstacles either do not exist or are surmountable. That is, however, not all. The chief thing is that the evangelical church must show itself capable and strong enough to take the road. Whoever has doubts of this, and therefore advocates the retention of the territorial church government at least provisionally, and as help in the emergency, should open his eyes wide to the fact that it is this very territorial church government that is responsible for the grounds of his doubts. Institutions train a people, and the centuries of the territorial church government have educated the evangelical people badly; that is certain. And just for this reason it is time to abolish it.

"First of all, it has taken away from the people all faith in themselves. There is even in many

[27] Boehmer, *Luther im Lichte der neueren Forschung*, 169.
[28] RE, xviii, 726 f.

places a real fear of freedom, as though evangelical Christianity were only waiting, until the restraining hand is withdrawn, to lacerate itself and cut itself up into little pieces. It has deadened the feeling of responsibility in the members of the church. Many a hasty act here and there, which now shocks us, would have remained undone were it not for the quieting thought that the government would take care of things. It has not allowed the thought to emerge that everyone, as well as the prince and his officials, has his own duties to perform—conscientious duties in respect to the maintenance of the church. It has been as Montesquieu says of the monarchical state and vertu, civil virtue, 'l'état vous en dispense.' The salvation and the future of the church depend upon the recognition and performance of such duties. But this can only take place under the wholesome discipline of freedom; and therefore the first duty is to attain this. Even then everything will not go smoothly. On the contrary, there is every prospect of serious conflicts and hard work. The state also will not find things so simple and easy as before; but when they are more healthily and correctly regulated it too at last will share the benefit."

Which of these corresponds with fact and which promises better for the future of the church in Germany there can be no doubt in the light of the history of the territorialism of four

centuries, but the condition of success today is the same as in the days of Luther, namely, that those that are serious in their profession of Christianity shall come forward and of their own will assume the burdens of the church.

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